

COUNTY OF KNOX



PERSONNEL POLICY HANDBOOK



Revised Effective January 1, 2020

WELCOME LETTER

On behalf of Knox County, I wish to welcome you as a new employee.

Knox County, formed from Lincoln and Waldo counties, incorporated April 1, 1860, and named for general Henry Knox, "The friend of Washington," contains one city, sixteen towns, one organized plantation and two unorganized townships. Total population in 2010 according to the Bureau of the Census was 39,736, encompassing 374 square miles. The 18 municipalities that we serve are as follows:

Appleton	Matinicus Isle Plantation	South Thomaston
Camden	North Haven	Thomaston
Cushing	Owls Head	Union
Friendship	Rockland	Vinalhaven
Hope	Rockport	Warren
Isle Au Haut	St. George	Washington

County government is Maine's oldest form of government and pre-dates the Declaration of Independence. Our various departments provide a wide-range of services to the citizens of Knox County, as well as information services to area schools, senior-centers, and other civic organizations.

In this Personnel Policy Handbook, you are being provided with an overview of the County's personnel policies, terms and conditions of employment, and employee benefits. As a County employee you are responsible for reviewing and understanding the contents of the Personnel Policy Handbook.

Should you have any questions, please don't hesitate to contact the County Administrative Offices at 594-0420 or via e-mail at ahart@knoxcountymaine.gov or HR@knoxcountymaine.gov.

Welcome to Knox County! We hope that your employment with us will be both beneficial and rewarding.

Andrew L. Hart
Knox County Administrator

KNOX COUNTY PERSONNEL POLICY HANDBOOK

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KNOX COUNTY PERSONNEL POLICY HANDBOOK

1.0 INTRODUCTION

1.1 ABOUT THE PERSONNEL POLICY HANDBOOK

This Knox County (hereinafter the “County”) Personnel Policy Handbook is intended to give non-bargaining employees, bargaining employees and elected officials a general overview of the County and information regarding its personnel policies, terms and conditions of employment, and employee benefits. All policies are subject to change when the County Administrator determines that the operational needs of County government so require. In addition, some policies and benefit programs described in the current version of the Personnel Policy Handbook may be revised, suspended or eliminated by the County in response to changing legal requirements. Updated versions of the Personnel Policy Handbook will be submitted to the Commission for approval.

Each employee shall be furnished with a copy of the County Personnel Policy Handbook, as well as a copy of his/her job description at the time of employment. It shall be the responsibility of all employees to acquaint themselves thoroughly with the material in the Personnel Policy Handbook and any subsequent revisions. Employees are encouraged to submit suggestions for changes in personnel policies and procedures in writing to their department managers/Sheriff.

Each elected official shall be given a copy of the County Personnel Policy Handbook upon assuming the office in which they were elected. Elected officials are expected to abide by the terms of these policies where specifically stated.

The Knox County Personnel Policy Handbook applies to employees covered by a Collective Bargaining Agreement. However, to the extent that there is any conflict between the Personnel Policy Handbook and an Agreement, the Agreement shall govern for employees covered by the Agreement. The Union and employees acknowledge that the Personnel Policy Handbook is one source of work rules which employees are obligated to abide by, except to the extent that one or more such rules are displaced by the terms of a Collective Bargaining Agreement.

The policies presented in the Knox County Personnel Policy Handbook shall not in any way violate, supersede or contradict any state or federal statute. Any statutory changes made by the local, state or federal governments shall immediately take precedence over any areas where conflict may exist.

Employees may contact the County Administrative Office with questions or concerns about these policies.

1.2 COUNTY STRUCTURE

1.2.1 County Commission

The County Commission shall have the responsibility for approving the policies, including a Code of Ethics, contained in this Handbook, authorizing the establishment and abolition of County positions and for rendering final decisions resulting from grievance appeals relative to discharge, suspension and other disciplinary actions.

1.2.2 County Administrator

The County Administrator is the chief administrative official of the County and is responsible for the administration of all departments and offices controlled by the Commission. The County Administrator shall:

- Ensure that all policies, rules and regulations made by the County Commission are faithfully executed;
- Attend all Commission meetings, except when his or her removal or suspension is being considered;

- Ensure that all duties and responsibilities assigned by law to the Clerk of the County are properly performed;
- Act as purchasing agent for all County departments and offices;
- Direct and supervise the operation of all County departments and offices, except the Sheriff's Office (see 30-A, M.R.S. §401);
- Keep the Commission and the Budget Committee informed as to the financial condition of the County;
- Collect all necessary financial information and prepare and submit to the County Commission an annual itemized estimated budget; and
- Communicate and exchange information with administrative officials in all municipalities, special districts and agencies in the County in accordance with policies adopted by the County Commission.

The County Administrator may not hold any elective County office.

Unless otherwise provided by law, the County Administrator shall appoint all administrative officials and employees of the County, other than elected officials. However, the appointment of department managers shall be subject to confirmation by the Commission. The functions and duties of each administrative official and employee of the County and the qualifications for each appointed County office or position shall be prescribed by the County Administrator, subject to the advice and approval of the Commission. Personnel administration shall be under the direction of the County Administrator and/or his/her designee; provided, however, that appeals of personnel actions may be taken to the Commission by aggrieved employees for resolution as provided by the Grievance Policy.

1.2.3 Department Managers

Department managers, acting on behalf of their departments, are responsible for recommending employees for promotions, demotions, and terminations to the County Administrator. They are expected to effectively supervise their employees, to report upon the efficiency and performance of subordinates, and to recommend salary increases for individual employees.

1.2.4 Sheriff

The Sheriff shall act as the chief County law enforcement officer and is responsible for administering and directing the Sheriff's Office as authorized by the County budget. The Sheriff shall inform County Commissioners of Sheriff's Office activities on a regular basis.

2.0 GENERAL EMPLOYMENT POLICIES AND PRACTICES

2.1 CODE OF ETHICS

As a member of the International City/County Management Association ("ICMA"), we are committed to the mission of creating excellence in local governance. To this end, we will adhere to the following twelve (12) ICMA tenets, which govern all County employees (with the exception of Tenet 7, which is not intended to limit elected officials in running for office):

Tenet 1 - Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2 - Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Tenet 3 - Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4 - Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5 - Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6 - Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7 - Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8 - Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9 - Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10 - Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11 - Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12 - Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

In addition, all elected officials and County employees will be governed by the following Code of Ethics provisions:

A. No public official or County employee shall, except for compensation as provided by law, use his office or any confidential information received thereby for commercial purposes, financial gain, or future employment, for him/herself, a member of his/her immediate family, or business with which s/he is associated.

B. No person shall offer or give to a public official or County employee or candidate for public office, or members of his/her immediate family or business with which s/he is associated, and no public official or County employee or candidate for public office, shall solicit or accept anything of value. Value could include a gift, loan, political contribution, award, or promise of future employment or personal benefit based on any agreement that the vote or official action of the public official or County employee or candidate for public office would be determined thereby.

C. No public official or County employee shall use, request, or permit the use of County motor vehicles, equipment, materials, or property, except on the conduct of official business, unless proper approval is obtained in advance.

D. Duties and obligations will be discharged in a manner that reflects credibility upon the County. Conduct that gives the appearance that decisions and actions are motivated by personal relationships or for personal gain do not meet the standards of conduct for employees under the Policy.

E. Employees shall not be employed or accept employment with any business entity or agency or engage in a professional activity which might result in a conflict of interest or cause/require the employee to

disclose confidential information acquired as a result of his/her official capacity with the County. Approval of secondary employment shall be obtained as provided for in section 3.4 of this Policy.

F. No County officer or employee shall disclose/use information not available to members of the general public and gained by reason of his/her official position for his/her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

G. No County officer or employee shall transact, or solicit to transact, any business in his or her official capacity with any business entity of which the officer or employee, or his/her spouse or child is an officer, director, agent, or member, or in which the officer or employee or his/her spouse or child, owns a financial interest, or otherwise has any material interest therein. Nor shall a County officer or employee, acting in a private capacity, transact or solicit to transact any business with the County, or with any of its subdivisions or agencies.

H. No County officer or employee shall have personal investments in any business which would reasonably create a conflict between his/her private interests and the County's interest.

I. No County officer or employee shall have or hold any employment or contractual relationship with any business entity or agency which is subject to the regulation of, or is doing business with the County, or any part of the County of which s/he is an officer or employee. Nor shall any County officer or employee have or hold any employment or contractual relationship which will create a continuing or frequently recurring conflict between his/her private interests and the performance of his/her public duties, or that would impede the full and faithful discharge of his/her public duties.

J. County employees are encouraged to seek guidance from the County Administrator and/or the Human Resources Department if there is any question whatsoever about the propriety of any contemplated action prior to such action being undertaken.

K. All public officials and County employees shall bring personal knowledge of any violation of these Code of Ethics provisions to the attention of the department head/Sheriff, the County Administrator, or the County Commissioners, within ten (10) days of acquiring such knowledge. Reports of violations shall remain confidential unless the testimony of the person reporting the violation is required in any enforcement action applicable to the situation.

All public officials and County employees will not only adhere to the above Tenets and provisions, but avoid the appearance of a departure from these principles wherever and whenever possible. In addition, all employees of the County are expected to promptly report any issues they believe are a violation of the Code of Ethics to a department manager, the Human Resources Representative, or the County Administrator.

2.2 EMPLOYMENT AT WILL

This Personnel Policy Handbook is not a contract, express or implied, guaranteeing employment for any specific duration. Unless provided otherwise and specifically by statute, written agreement or collective bargaining agreement, either you or the County may terminate this relationship at any time, for any reason, with or without cause or notice. No officer, employee, agent or representative of the County has the authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing, unless it is in writing and signed by the Knox County Administrator.

2.3 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT / NON-DISCRIMINATION POLICY

Knox County is an equal opportunity employer and its management intends to fulfill, to the letter of the law, all provisions under federal, state, and local employment regulations which prohibit discrimination with respect to employment. Accordingly, we will not discriminate in hiring, promotion, compensation, discharge or any other term or condition of employment due to gender (including pregnancy or related

medical condition), age, race, color, ancestry, disability, family medical history or genetic information, sexual orientation, religion, national origin, parental status, marital status or covered veteran status, except where based on a bona fide occupational qualification. We will not discriminate against anyone who has filed a Workers' Compensation claim, nor an employee who has brought to management's attention an irregularity or violation of regulation under the Whistleblowers' Protection Act (see separate section on Whistleblowers'). We will not permit, condone or tolerate unlawful discrimination against employees in any manner whatsoever, and all employees and supervisors are obligated to support the concept of equal employment opportunity at Knox County.

An employee who believes he or she has been subject to unlawful discrimination of any kind should bring the matter to the attention of his or her department manager/Sheriff or the County Administrator. Any complaints will be investigated promptly and corrective action taken as deemed appropriate, while restricting information to those who have a need to know. Further, management will ensure that there is no coercion, harassment, retaliation, or intimidation directed toward any employee who has registered a complaint of unlawful discrimination or who has been involved in the investigation or hearing of a complaint.

The use of male or female gender of nouns or pronouns is not intended to describe any specific employee or group of employees, but is intended to refer to all employees in job classifications, regardless of sex.

If a bona fide occupational qualification should exist, a statement of the facts supporting this determination shall be placed in the personnel file of the individual hired.

The County will consider for employment only those individuals who are legally eligible for employment in the United States. Prior to the start of employment all applicants must provide proof of eligibility for employment certification in accordance with federal regulations.

2.4 AMERICANS WITH DISABILITIES ACT (ADA) POLICY

Knox County is firmly committed to comply with all applicable provisions of the Americans with Disabilities Act. It is our Policy not to discriminate against any qualified applicant or employee with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the individual can perform the essential functions of the job, with or without reasonable accommodation. Consistent with nondiscrimination, the County will provide reasonable accommodation to a qualified individual with a disability, as defined by ADA, who has made us aware of his or her disability, provided that such accommodation does not constitute an undue hardship to the County.

All requests for accommodations are to be submitted in writing with the appropriate supporting documentation to the employee's department manager/Sheriff or the County Administrator for consideration and review. The review of the request may include an evaluation and determination of the scope of the disability and, if appropriate, request for additional medical documentation, examinations, and/or opinions. The employee will be informed in advance if any request will be at his or her expense.

In conformance with the Genetic Information Nondiscrimination Act of 2008 ("GINA"), the County will not discriminate on the basis of genetic information. The County will comply with Maine's genetic information law that prohibits discrimination on the basis of genetic information and/or the refusal to submit to a genetic test. GINA prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to any request for medical information, such as when an accommodation for a disability is being requested or family medical leave is being sought. 'Genetic information' as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and

genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

2.5 HARASSMENT AND RETALIATION PREVENTION POLICY

NO HARASSMENT OR RETALIATION TOLERATED. The County will not tolerate harassment, bullying, or workplace violence based on sex (with or without sexual conduct), gender identity, sexual orientation, transgender status, genetic information, marital status, amnesty or status as a covered veteran, race, color, religion, national origin, age or disability, for speaking out against discrimination, or for participating in the complaint investigation process.

The County also will not tolerate retaliation for speaking out against discrimination, participating in the complaint investigation process, or for good faith reporting to the County or a public body a violation of law, rule, condition, or practice that would put at risk the health or safety of any employee or other individual.

This Policy applies to supervisors, co-workers, vendors, and other non-employees.

The County fully supports this Policy and its management is committed to the prevention of any form of harassment or retaliation.

PROMPT REPORTING IS REQUIRED. All employees must promptly report any harassing behavior or retaliation before it becomes severe or interferes with their work. The County will make every effort to stop any harassment or retaliation before it amounts to a violation of law. It can only do so if it is promptly reported.

NO PUNISHMENT FOR REPORTING. The County will not tolerate adverse treatment of an employee because he or she reported harassment or provided information relating to such a complaint or in good faith reported to the County or a public body a violation of a law, rule, condition, or practice that would put at risk the health or safety of any employee or other individual.

DEFINITION OF HARASSMENT/RETALIATION. Unwelcome comments, jokes, acts, social media postings (including maliciously false statements) and other verbal or physical conduct related to sex, sexual orientation, race, color, religion, national origin, age, disability, or protected activity (speaking out against discrimination, participating in the complaint investigation process, or good faith reporting to the County or a public body a violation of law, rule, condition, or practice that would put at risk the health or safety of any employee or other individual) is harassment or retaliation when:

- a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or
- d. The challenged action would discourage a reasonable employee from making or supporting a charge of discrimination or engaging in protected activity.

Employment decisions (tangible employment action) linked with harassment or retaliation could include:

- hiring and firing;
- promotion and failure to promote;

- demotion;
- reassignment;
- a decision causing a significant change in benefits;
- compensation decisions; and
- an unappealing work assignment.

None of these actions, linked with harassment or retaliation, will be tolerated.

DESCRIPTION OF SEXUAL HARASSMENT. Maine law requires that illustrations of sexual harassment be provided. The following are some examples of sexual harassment. Such behavior is not permitted.

A. *Physical assaults of a sexual nature such as:*

1. rape, sexual battery, molestation, or attempts to commit these assaults; and
2. intentional physical contact, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.

B. *Unwanted sexual advances, propositions, or other sexual comments, such as:*

1. sexually-oriented gestures, noises, remarks, jokes, or comments about a person's appearance, sexuality, sexual experience, or sexual orientation directed at or made in the presence of any employee who indicates or has indicated that such conduct in his or her presence is unwelcome;
2. preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for gain or reward; and
3. subjecting, or threatening to subject, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex, sexual experience, or sexual orientation.

C. *Sexual or discriminatory displays or publications anywhere in the County by employees, such as:*

1. displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning, or pornographic or bringing into the work environment or possessing any such material to read, display, or view at work; and
2. displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than restrooms and similar semi-private locker/changing rooms).

DESCRIPTION OF BULLYING: Workplace bullying refers to repeated, unreasonable actions of individuals or a group directed toward an employee, or a group of employees, which is intended to intimidate and creates a risk to the health and safety of the employees.

DESCRIPTION OF WORKPLACE VIOLENCE: Workplace violence refers to any verbal or physical conduct that threatens property or personal safety or that reasonably could be interpreted as intent to cause harm.

COMPLAINT PROCESS: Any individual who believes he or she has been the subject of any form of harassment should **immediately** report the incident or act to one or more of the following individuals:

Andrew L. Hart, Knox County Administrator, (207) 594-0420, ahart@knoxcountymaine.gov

Laurie Bouchard, Human Resources Representative, (207) 594-0420, HR@knoxcountymaine.gov

Reports can be verbal or written. You are not required to report to anyone harassing or retaliating against you. The County will promptly investigate any and all complaints. All supervisors have been trained and are required to immediately report complaints of harassment to one of the individuals listed above.

CONFIDENTIALITY. The County will protect the confidentiality of harassment and retaliation allegations as much as possible. All information provided will be kept confidential and maintained in a separate confidential file. It will be discussed only with those who have a need to know in order to investigate or resolve the complaint.

INVESTIGATION PROCESS – CORRECTIVE ACTION. The County will promptly conduct a thorough and impartial investigation into any alleged harassment or retaliation. Steps which the County may take will be designed to stop the harassment or retaliation, correct its effects, and ensure that it does not happen again. Any remedial measures will not punish anyone who has come forward with a legitimate complaint of harassment or retaliation. Corrective action may include warning, training and monitoring of harasser, transfer or reassignment, suspension, or discharge of involved coworkers. The focus is upon prevention, not punishment. Any employee who reports harassment or retaliation will be informed of the general results of the investigation and corrective action taken.

THE MAINE HUMAN RIGHTS COMMISSION IS ALSO AVAILABLE TO INVESTIGATE A COMPLAINT. The Maine Human Rights Commission (“MHRC”) can be contacted at 51 State House Station, Augusta, ME 04333, (207) 624-6290. Any employee having a complaint of harassment or retaliation has a right to bring it directly to the attention of the MHRC. You may call or write. If you call, you should ask to speak with an intake worker. He or she will assist you with your complaint and will place in writing the information you provide. This will then be typed up on a charge which you will have to sign. Once the MHRC has received the signed charge form, an investigation will be conducted. You will be advised of the results of this investigation. Any complaint **must** be filed within 300 days of the act of harassment or retaliation.

YOU MUST REPORT HARASSMENT. The purpose of this Policy is to encourage you to report any harassment or retaliation. You should not assume that the County is aware of any harassment or retaliation which you may encounter. It is your responsibility to bring your complaints and concerns to the County's attention.

This Notice is annually given by the County to all employees in compliance with 26 M.R.S. §807(2) and EEOC Enforcement Guidance (06/18/99).

2.6 WHISTLEBLOWER’S PROTECTION ACT POLICY

The County encourages its employees to report illegal or unsafe activities in the workplace and will protect employees from retaliation for making any such report in good faith. In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation, or that would risk his/her health and safety or that of others. If any employee of the County believes that the County or another employee, acting on behalf of the County, has violated any state or federal law, rule or regulation, or created an unsafe condition, or violated any fiduciary responsibility, s/he should report it in writing to his or her department manager/Sheriff or the County Administrator without delay.

2.7 NICOTINE AND TOBACCO-FREE POLICY

Knox County recognizes its responsibility to promote and provide a safe and healthy environment for its employees, visitors, inmates, and the general public. Nicotine and tobacco use, to include smokeless

tobacco, cigarettes, e-cigarettes, vapor-less cigarettes, cigars and pipes, by employees, the public, and others is prohibited in all County facilities as well as entrances, exits, and within 100 feet of the buildings. Tobacco use is also prohibited in County-owned vehicles at all times, and in employee-owned vehicles used in the course of work whenever another person is in the vehicle for work related reasons.

Adherence to this policy is a condition of employment with Knox County.

Failure to adhere to this Tobacco-Free Policy will lead to progressive discipline, including termination of employment, if necessary.

Anyone who expresses a desire to quit using tobacco products may receive assistance by calling the tobacco helpline at 1-800-207-1230.

2.8 DRUG-FREE WORKPLACE STATEMENT

The County has a workplace in which responsibilities and freedoms are governed by policies and codes of behavior, including penalties for violations of these standards as stated in Personnel Policy Handbook. One such standard of conduct prohibits the unlawful possession, use, or distribution of prescription medications, alcohol or illicit drugs, including marijuana and cannabinoids, whether medicinal or recreational, by employees on County premises or at any time while conducting business on behalf of the County. The legal use of prescription medication drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and does not endanger other individuals in the workplace. Marijuana and cannabis are not prescriptions medications because they are not legal under federal law.

Management will address violations of this policy, ranging from coaching and to disciplinary action up to and including termination of employment and referral for prosecution, for violations of the standards of conduct. Each situation will be evaluated on a case-by-case basis.

It is County policy to maintain a drug-free workplace. To that end, and in the spirit of the Drug-Free Workplace Act of 1988, the County has adopted the following policies:

1. The unlawful manufacture, possession, distribution, or use of controlled substances is prohibited in the workplace, including marijuana whether it is medicinal or recreational.
2. Employees who violate this prohibition are subject to corrective or disciplinary action as deemed appropriate, up to and possibly including termination of employment.
3. As an on-going condition of employment, employees are required to abide by this prohibition and to notify his/her supervisor, in writing and within five (5) days of the violation, of any criminal drug statute convictions they receive.

It is the County's desire to provide a drug-free, healthful, and safe workplace for employees and visitors. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. All employees must come to work and remain fit for duty during the working day.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisors, the Human Resources Representative, or the County Administrator.

2.9 WORKPLACE VIOLENCE PREVENTION POLICY

Knox County is committed to preventing violence and maintaining a safe working environment. Accordingly, the County has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur while working, or on County property.

Prohibited Conduct

Knox County will not tolerate any type of workplace violence committed by or against any officers, officials, or employees. Officers, officials, and employees are prohibited from making threats or engaging in violent activities. The following list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional stress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on County property or while on County business, unless otherwise authorized;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor and/or a department manager/Sheriff, who will then report it to the County Administrator. All incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of investigations will be discussed with them.

Risk Reduction Measures

While the County does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform immediate supervisors if any employee exhibits behavior which could be a sign of a potentially dangerous situation.

Such behaviors may include, but not be limited to:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance; or
- Displaying irrational or inappropriate behavior.

Dangerous Emergency Situations

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual, unless specifically trained and authorized to do so. Employees should remain calm, make constant eye contact and talk to the individual. If law enforcement can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, the best course of action may be to cooperate and follow instructions until help arrives.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, leading up to and including termination, and could also be subject to criminal prosecution. Non-employees engaged in violent acts on the employer's premise will be reported to the proper authorities and fully prosecuted.

2.10 DOMESTIC VIOLENCE IN THE WORKPLACE POLICY

Knox County will support, to the fullest extent possible, victims of domestic violence and will not tolerate those who perpetrate domestic violence on work time or in County facilities. Ensuring adherence to this policy requires that all individuals on County premises or while representing the County conduct themselves in a manner consistent with the spirit of this policy. A violation of this policy could result in disciplinary action, up to and including termination of employment.

An employee involved in a domestic violence incident must immediately report to his or her department manager/Sheriff, any order for protection from abuse or harassment, or any criminal charge or condition of bail or probation applicable to the employee as a defendant or plaintiff.

Any employee required to carry a firearm as a condition of employment who is named as a defendant in a temporary protection order, or who is otherwise prohibited by court order, bail condition, or criminal conviction, from carrying a firearm, may be re-assigned to a position which does not require a firearm until a formal finding is in place, after review by the department manager/Sheriff and/or County Administrator. Additional restrictions for bargaining employees are covered in the Collective Bargaining Agreement.

Any employee required to carry a firearm as a condition of employment who is named as a defendant in a permanent protection order, or who is otherwise prohibited by court order, bail condition, criminal conviction, or protection order from carrying a firearm, may have his or her employment status reviewed by the department manager/Sheriff and/or County Administrator.

2.11 PROPRIETARY INFORMATION / CONFIDENTIALITY

Through the course of employment, employees may gain access to County information which may be considered sensitive or confidential in nature. Information about County residents or others we serve, employee information, financial information, or pending lawsuits are all examples. An absolute condition of employment is that every employee respects and maintains confidentiality, both during and after employment. If an employee has any question about disclosing confidential information, he or she should discuss it with the department manager/Sheriff before the information is disclosed. Failure to respect and maintain confidentiality may be grounds for termination of employment and, after employment, could result in a lawsuit to enforce your confidentiality obligations.

2.12 SAFETY POLICY

The County is committed to the safety of its employees and its property and equipment, and is responsible for meeting safety standards, which are considered to be a minimum standard, required by the Occupational Safety and Health Act of 1970 as well as other Federal and State laws. Any employee who disregards any County safety rule and/or regulation is subject to disciplinary action up to and including termination of employment.

The County shall provide proper safety devices for all employees engaged in work where such devices are necessary. Such devices, where provided, must be used as intended.

If an employee deems his/her vehicle or equipment to be unsafe, he/she shall notify his/her superior who, in turn, shall arrange for or conduct an appropriate inspection and shall determine whether the vehicle or equipment is safe for use.

Employee recommendations to improve safety and health conditions are welcomed. The County will provide financial resources for the correction of unsafe conditions and will take disciplinary action against an employee who willfully or repeatedly violates workplace safety rules.

2.12.1 Reporting Injuries and Accidents

Employees must advise their immediate supervisor of all accidents, injuries or illnesses that occur while at work; the supervisor will notify the department manager/Sheriff who will notify the County Administrative

Office. All accidents, injuries or illnesses that occur while at work must be reported immediately no matter how slight they may appear.

The County will provide the proper forms for reporting job-related accidents, injuries and illnesses. Any employee failing to report such occurrences will be subject to disciplinary action.

In the event of a vehicular accident involving a County-owned/leased vehicle or while on County business, the employee must report all information immediately to the immediate supervisor and the Administrative Office. In no instance should responsibility for an accident be expressed to anyone until the department manager/Sheriff or the County Administrator has been notified and permission has been obtained to make statements.

2.12.2 Hazardous Wastes

The Environmental Protection Agency has grouped certain chemicals and chemical groups into categories which have been defined as toxic. This means that in concentrated forms or by accumulating and combining with other chemicals (even the air) these chemicals can be hazardous to human health if exposure occurs.

From time to time in the normal course of their jobs, employees may handle materials which have been classified as hazardous by the standards of the Occupational Safety and Health Act (OSHA) regulations.

Hazardous materials that are received from our suppliers should have Material Safety Data Sheets (MSDS) or labels which state the chemical ingredients of the contents, precautions to take, and what to do if exposure occurs.

If any employee suspects that the materials or wastes he/she may encounter as an employee are hazardous (whether or not they are being created or used by the County), he/she should inform a Supervisor immediately.

The County is also committed to not creating or disposing of hazardous wastes which will contaminate the environment. Materials which have been judged as non-hazardous are chosen whenever possible and if hazardous materials are used, they are properly disposed of.

Employees will be informed as to how to control hazardous wastes and what to do if they are exposed to hazardous wastes.

2.12.3 Use of Personal Protective Equipment (PPEs)

Personal Protective Equipment is to be used in conjunction with safe work practices to provide for employee safety and health in the workplace. Employees of the County who work in positions requiring the use of PPEs are expected to know the guidelines for the work they are performing, and ensure 100% compliance; failure to do so will result in disciplinary action, up to and including termination of employment.

2.12.4 Driving While Distracted

Employees driving on County business are asked to be attentive and minimize any distractions. An accident caused by an employee while driving on County business can be catastrophic for both the employee and the County.

The following activities are the most common distractions that cause accidents:

- Making a cell phone call or texting
- Changing a radio station or accessing a music device
- Eating or drinking
- Reaching for something in the back seat
- Reading GPS

- Turning to talk to the passengers (including in the backseat)
- Fixing hair, shaving, putting on make-up or other personal grooming

Enacted September 19, 2019, Title 29-A, section 2121, prohibits the use of mobile telephones, handheld electronic devices and portable electronic devices while operating a motor vehicle, unless specifically exempted by law. According to the Maine State Police, a driver may use limited functions of a device in hands free mode (providing the driver is not under 18 years of age or operating on a permit or an intermediate driver's license). A handheld or portable electronic device may be used if it is affixed or mounted to the vehicle and it only requires a single tap, swipe or push of a button to activate or deactivate a feature. To perform any action that requires more than one touch of the device requires the driver to pull over to a safe, lawful location, halt the vehicle and then perform the task. Texting while driving is illegal, even if stopped temporarily at a traffic light, bus stop, construction site, stop sign or any other time the vehicle is temporarily stopped in the roadway. If hands free texting is not available in the vehicle, the driver must find a safe place to park and then write the message. Incoming calls may be answered as long as a hands-free option is used and the driver does not have to hold the phone to manipulate it. Employees driving on County business must follow this law; failure to do so may result in disciplinary action, up to and possibly including termination of employment.

Law enforcement employees and corrections officers are governed by additional requirements outlined in the Sheriff's Office Standard Operating Procedures.

2.12.5 Emergency Response Plan

The Knox County Courthouse, the Knox County Jail, the Knox County Public Safety Building, and the Airport each have a written Emergency Response Plan that covers emergency procedures and evacuation plans. Each employee accepts the responsibility to review the Plan for the location in which he or she works, before signing the Employee Acknowledgement page, on an annual basis.

2.12.6 Animals at Work Safety Policy

Employees are not permitted to bring pets to work, due to concerns with security, liability, and health and safety issues for other employees and the public, as well as the potential for disruption of work. The only exceptions are an animal who is certified as the employee's "service animal" and "working dogs" for law enforcement purposes.

2.13 WORKERS' COMPENSATION

All employees of Knox County are covered by Workers' Compensation insurance. There is no cost to the employee.

The Maine Workers' Compensation Act requires employees to report all injuries and illnesses that occur on the job, no matter how slight; failure to do so may jeopardize the employee's rights under the Act. If an employee is injured or requires medical attention, the situation must be reported immediately to the ranking supervisor on duty and an accident report will be completed. The injured employee and the supervisor will assess the injury together and will treat the injury with first aid and/or on-premise measures, only if the supervisor and employee agree that the injury is so minor as to not require professional medical attention.

If either the employee or the supervisor feels that professional medical attention may be required, then action will be taken immediately to obtain that treatment. If the injured person is mobile, the supervisor will arrange transportation to a hospital emergency room or health care facility. Under no circumstances will an injured employee drive him/herself. If the employee is unconscious, unable to move under his or her own power or is obviously seriously injured, a 911 call will be immediately placed to enable emergency medical attention. All serious injuries will be reported through the chain of command to the County Administrator by the fastest means possible.

Every situation in which an employee is injured or requires medical attention, no matter how minor, shall be documented using an accident report form. Detailed and exact information is essential to aid in the

prevention of similar injuries. Accident reports must be completed as soon as practical but not later than within 24 hours of the time of occurrence. Reports should be forwarded to the Administrative Office.

Employees must use sick time (if available, otherwise compensatory time or vacation time, if available) for the first seven (7) calendar days if work time is missed due to a work-related injury; workers' compensation benefits do not apply until the eighth (8th) day of absence. If the absence continues beyond the fourteenth (14th) calendar day, the first seven (7) days may be compensated under Workers' Compensation. During the time when an employee is receiving Workers' Compensation and is unable to work, vacation leave and sick leave will not accrue and holiday pay will not be granted. For employees who are working, medical appointments related to the workplace injury or illness should be during work time (and compensated as such), or on the employee's own time (and therefore not compensated); sick or vacation time cannot be used for these appointments. Health insurance benefits during leaves of absence are covered in another section.

Any payroll deductions will be the responsibility of the employee while on Workers' Compensation leave.

Workers' Compensation leave may also run concurrently with Family Medical Leave.

2.14 WORK RULES

The County may adopt or amend reasonable work rules. Whenever possible, all rules, or amendments thereto, shall be posted for fourteen (14) calendar days before becoming effective.

Employees are required to abide by the terms of these policies and to comply with such rules and regulations as the County may adopt. Should there be any doubt as to the employee's obligations, he/she shall comply with the rules and then grieve if he/she feels he/she has been wronged. Violations of any work rules, and/or the provisions of these personnel policies, may result in disciplinary action. All disciplinary actions shall be stated, in writing, and will be forwarded to the affected employee within four (4) working days of the date said actions were taken.

The reasons listed below are illustrative of behavior or conduct, which may be grounds for disciplinary action. The list is not intended to be exhaustive:

1. Violation of the County's policies on non-discrimination or unlawful harassment, retaliation, or sexual harassment.
2. Failure to report an accident or injury on the job, or falsely stating or making a claim of illness or injury.
3. Failure to follow County or department policy or procedure.
4. Distribution, sale, or transfer of alcohol or illegal drugs on County property, working while under the influence of alcohol or illegal drugs, or the possession or use of alcohol or illegal drugs on County property (except in the case of alcohol provided by an authorized vendor during non-working hours).
5. Excessive absence or repeated tardiness.
6. Unsatisfactory or poor job performance.
7. Negligent or willful damage to County property.
8. Conviction of theft or a felony.
9. Use of abusive language.
10. Violation of safety procedures or safety policy, including non-compliance relative to the use of safety devices, or negligently endangering the safety of other employees or the public.
11. Acceptance of money or a gift by any employee, when given under circumstances indicating the hope or expectation of receiving better treatment than that accorded to the public in general, is prohibited and may result in immediate termination of employment.
12. Dishonesty, including falsification of employment application, official reports or other records.

13. Insubordination, including refusal to accept an assignment or walking off the job.
14. Being the aggressor in a fight or threatening violence in the workplace.
15. Unauthorized disclosure of personnel, County, or personal records and/or other confidential information.
16. Willful misuse of computer equipment, including but not limited to unauthorized software installation, personal email, or other improper use of the County's computer systems and equipment.
17. Inappropriate use of the Internet, email, voice mail, or other forms of electronic communication.
18. Possession of firearms, weapons or explosives (unless specifically authorized in the course of duties) at any time on County property.
19. Disorderly or inappropriate conduct of any kind.

In addition to the above noted behavior or conduct which shall require disciplinary action or measures, the following shall also apply to the sheriff's office, dispatch, and jail employees:

20. Failure to follow orders of superiors.
21. Sleeping on duty.
22. Mistreatment of prisoners.
23. Any sworn Sheriff's Office employee convicted of any traffic related offense that results in the loss of or suspension of the employee's right to operate a motor vehicle in the State of Maine.

2.14.1 Disciplinary Action

Disciplinary action may include, but are not limited to, the following measures:

- Counseling
- Oral Reprimand
- Written Reprimand
- Suspension (with or without pay)
- Termination of Employment

The measures need not be applied in sequence, depending on the seriousness of the infraction. Whenever disciplinary action is taken, the employee will be clearly informed of what the infraction or area of poor performance is, the actions needed to correct the situation and the consequences if the problem reoccurs or persists.

2.14.2 Administrative Leave

An employee at any level may be placed on paid administrative leave while an investigation is being conducted or an issue is pending resolution. All paid administrative leave must be approved by the County Administrator.

2.14.3 Disciplinary Hearings

Section 1 – Action by the Department

Any disciplinary action by the department manager/Sheriff or elected official upon any charge of violation of departmental rules, inefficiency, incompetence, negligence, insubordination, or other misconduct, shall be taken only after due notice and hearing, except in cases where the nature of the alleged violation warrants immediate emergency suspension. In such cases, the employee may be suspended with pay pending investigation.

Section 2 – Employee's Right to Participate

The employee so charged shall have the right to participate in the hearing. The employee has the right to retain private legal counsel to represent him/her in the process.

Section 3 – Appeal through Grievance Procedure

Any employee who feels he/she has been aggrieved in any disciplinary action may appeal through the County's grievance procedure.

Section 4 - Investigation

If there is an investigation of any employee suspected of violation of departmental rules and regulations or other internal misconduct, an investigation will be conducted without unreasonable delay, and the investigative process will be confidential to the greatest degree possible. The investigator shall inform the employee that an official investigation is being conducted and indicate the nature of the allegation that is the cause of the investigation. The complainant may be identified if anonymity is not required or possible due to the circumstances. If the person being interviewed is a witness only, that fact shall be stated to him/her. Interviews of an employee suspected of violation of rules or of misconduct shall be limited to questions that are directly, narrowly, and specifically related to the employee's job performance or duties as these relate to the allegation. An employee under arrest or the subject of a criminal investigation shall be afforded all rights granted to any other person under such circumstances. The employee shall be notified of the outcome of the investigation in writing within twenty (20) working days of the completion of the investigation. The investigative process for law enforcement employees and corrections officers is outlined in the Sheriff's Office Standard Operating Procedures.

2.14.4 Right of Appeal

All full-time and part-time employees have the right to appeal disciplinary actions with established grievance and appeal procedures.

2.14.5 Investigation of Outside Complaints

If an outside complaint is received about a County employee relating to his/her work, the following procedures will be followed:

- A. Complaints shall be in writing, with the exception of sexual harassment or other complaints which the County has a legal duty to investigate regardless of whether the complaint is in writing. Even in these exceptional circumstances, the County will make an effort to get a written complaint.

A preliminary inquiry shall commence to determine whether or not evidence suggests a more formal investigation is warranted, as determined by the County Administrator. If an investigation is to be conducted, then the remainder of this article will be followed, beginning with Step B.
- B. The employee may or may not be advised by the County Administrator, department manager/Sheriff, and/or their designee that a complaint has been filed, the nature of the complaint, the complainant (unless anonymity is warranted) and that an investigation will commence. Notification is not required when informing the employee could prove to be a detriment to the investigation. A person under investigation may be granted administrative leave with pay during the term of investigation.
- C. If the employee is being interviewed as a witness only, he or she shall be so informed.
- D. If the employee is being interviewed or interrogated, the interrogation will be conducted at a reasonable time, during work hours if possible, and with the greatest possible confidentiality.
- E. The interrogation will be limited to questions that are directly, narrowly, and specifically related to the employee's job performance or duties as these relate to the complaint.
- F. Every employee is expected to cooperate fully with an interrogation or any other part of an investigation under this policy and may not withhold information or otherwise refuse to cooperate. Failure of any employee to cooperate fully in an internal investigation will be grounds for discipline, up to and including termination of employment.

- G. In all cases in which an employee is interrogated concerning a serious violation of departmental rules and regulations which, if proven, would be likely to result in his/her removal from the department, and where the same can be accomplished without unreasonably delaying or impeding the investigation, he/she shall be afforded a reasonable opportunity and the facilities to contact and consult privately with an attorney before being interrogated. The attorney may be present during the interrogation, but may not participate in the interrogation except to counsel the employee.
- H. At the conclusion of the investigation, the employee may be provided with a copy of any written report of the investigation, upon request.
- I. The employee will be informed in writing of the results of the investigation within twenty (20) working days after the investigation has concluded, unless there are extenuating circumstances, in which case the County Administrative Office will notify the employee of the date on which notification of the results will be provided.
- J. If, as a result of the investigation, disciplinary action is taken, the employee may request a disciplinary hearing. The employee may waive the disciplinary hearing process.

The Investigation of Outside Complaints for law enforcement employees and corrections officers is outlined in the Sheriff's Office Standard Operating Procedures.

2.15 PERSONNEL FILES

Insofar as permitted by law, all personnel records, including home addresses, telephone numbers, and pictures of employees shall be confidential and shall not be released to any person other than County officials, except upon a legally authorized subpoena or written consent of the employee. One central personnel file and one confidential medical file will be maintained for each employee in the County Administrative Office; additional records may also be maintained by the Department Manager/Sheriff (training and performance records) and the Finance Department (payroll and benefits records). Requests to view personnel files must be made in writing on a form for such purpose provided by the County Administrative Office. The County Administrative Office will make a response to the requesting party within five working days after receipt.

- 2.15.1** Upon request, an employee shall have the right to inspect his/her official personnel record. Inspection shall be during regular business hours and shall be conducted under the supervision of the Administrative Office. An employee shall have the right to request duplicate copies for his/her own use. No records shall be withheld from an employee's inspection. An employee shall have the right to have added to his/her personnel file a written refutation of any material.
- 2.15.2** No written reprimand shall be placed in an employee's personnel file unless the employee is first given the opportunity to see a copy of the reprimand. The employee may file a written response to the reprimand, which shall be included in the personnel file.
- 2.15.3** Documentation of oral and written reprimands shall remain in an employee's personnel file for a minimum of eighteen (18) months. Documentation of more serious disciplinary issues will remain in the personnel file until at least six (6) years following the date of the documentation.
- 2.15.4** An employee may request in writing that the County Administrator remove a record of oral or written reprimand from his or her personnel file after eighteen (18) months. Removal of any documentation related to more serious disciplinary issues may be requested after six (6) years from the date of the documentation, and will be subject to County Administrator approval.
- 2.15.5** Law enforcement employees are governed by additional requirements for retention of disciplinary records.

3.0 HIRING POLICIES AND EMPLOYMENT CONDITIONS

3.1 INTRODUCTORY AND TRIAL PERIODS

New employees shall serve a six (6) month introductory period. New employees are not eligible for promotions or to use paid vacation or paid sick leave during the introductory period.

Employees promoted or transferred to a new job classification will serve a three (3) month trial period. During this trial period, the employee may be reassigned to another position, if available, should job performance prove unsatisfactory. Should a promoted employee use accumulated leave time during the three (3) month trial period, the trial period may be extended by the number of leave days.

State statutes and Maine Criminal Justice Academy rules govern probationary periods for law enforcement employees and corrections officers.

3.2 NEW EMPLOYEE ORIENTATION

A new employee will receive an orientation within the first few days on the job. This orientation will include the new employee paperwork, and a review of the job description and any specifics relating to his or her position. The Personnel Policy Manual will be distributed at the orientation, and the employee will be given a date by which to return the Employee Acknowledgement page.

3.3 ANTI-NEPOTISM POLICY

No person will be hired, promoted or transferred to a position where the hiring authority, department manager/Sheriff, or supervisor, or anyone within the chain of command, will be a relative of the employee. In addition, relatives of a County Commissioner, the County Administrator, the Finance Director or the Human Resources & Administrative Services Specialist will not be hired without the approval of the County Administrator and the Commission (Note: nepotism that exists as of November 12, 2013, or that occurs through marriage or other event after hire, will not be precluded as a result of this policy unless a reporting relationship exists). If a reporting relationship between two existing employees occurs as a result of marriage or other event, the County Administrator will evaluate the situation and determine the appropriate course of action, which could include the transfer, demotion, or employment termination of one of the two employees ("reporting relationship" includes anyone in the chain of command, even if one of the two employees does not directly report to the other). The County Administrator may make an exception to this Policy if the relatives in question are below the level of department manager/Sheriff, and the Commission may make an exception if the relatives in question include an individual at the level of department manager/Sheriff or County Administrator.

In addition, no employee of the County shall use his/her position to award jobs or other favors, or conversely cause undue harm, to relatives in an unfair or unjust manner.

Employees who are aware of an issue of nepotism should bring the matter to the attention of a department manager, the Human Resources Representative, or the County Administrator.

For the purposes of this Nepotism Policy, relatives are defined as: spouse, domestic partner, parents, children, parents-in-law, brother, brother-in-law, sister, sister-in-law, daughter-in-law, son-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, foster parents and foster children.

3.4 OUTSIDE EMPLOYMENT

A County employee may engage in outside employment if it does not interfere with job performance and does not conflict or appear to conflict with the interests of the County. If the County feels a conflict of interest exists, a meeting will be held with all parties concerned to discuss the matter and make a determination. Employees who continue to engage in outside employment that has been determined to be in

conflict by the County, will be subject to disciplinary action up to and including termination of employment.

3.5 POLITICAL ACTIVITIES

Political activities must conform to State and Federal rules and regulations.

3.6 TRAINING

An employee required to attend a seminar, conference, or other course of training that has been approved by the department manager/Sheriff in advance, shall receive that employee's regular rate of pay for those hours in which the employee attends the training. If the training or related travel are outside of the employee's normal work hours, the employee shall be compensated according to the Fair Labor Standards Act and County policy in regards to overtime compensation.

Outside of required training, each employee will have input on what types of training classes he/she is to attend. It is the intent to make available to all employees, as schedules will allow, time to attend training related to their work.

An employee who receives additional training on his/her own that is not required of the department and who has not received prior approval of the department manager/Sheriff, is not considered to be working and is ineligible for pay, or travel and mileage reimbursements.

3.7 CLOTHING AND UNIFORMS

Airport Security Officers and Jail Food Services staff shall be provided clothing as determined by the department manager/Sheriff.

Employees will report to work in acceptable business casual/office attire. Dirty, torn or tattered clothing, as well as but not limited to, lettered/logo tee-shirts, cut off pants, halter tops, and tube tops are not considered acceptable attire. All clothing must be neat, clean, and free from odor and stains.

3.8 VEHICLES

Appropriate vehicles shall be provided for personnel to carry out their assigned duties. In the event an employee resides outside the County, the department manager/Sheriff shall make arrangements for use of the County vehicle with approval of the County Administrator. All vehicles shall be maintained and utilized in accordance with departmental policy. Employees shall not be permitted to use County vehicles for personal use.

4.0 WAGE AND HOUR POLICIES AND PRACTICES

4.1 POSITION CLASSIFICATION AND SALARY ADMINISTRATION POLICY

4.1.1 Job Descriptions

Each position utilized by the County is identified by a written job description, approved by the Commission. The description includes: job title, minimum qualifications, reporting relationships; , and essential duties and responsibilities required by the job. The definition or description of the job is based on the needs of the County, not on individual skills, qualifications or performance level of an individual. Current written job descriptions of all County job classifications will be maintained in the County Administrative office. Each elected official's duties are described in the Maine Revised Statutes Annotated.

4.1.2 Position Classification and Pay Grade System

Each position, except for the position of Judge of Probate, is assigned to a "grade" in the County's current pay scale, which is on file in the County Administrative Office. It will be the responsibility of the department managers/Sheriff to periodically review current job descriptions and to make recommendations to the County Administrator if changes in job content or responsibilities could potentially warrant a change in pay grade assignment.

When a new position is established or when an existing position has changed substantially as to the kind and/or level of work, the supervisor should request a review of the position's classification by submitting a written request to the department manager/Sheriff, accompanied by a revised job description recommended by the supervisor. An employee who feels that his/her job has changed significantly may also request this review. Once received by the department manager/Sheriff, the information shall be forwarded to the County Administrator, who will convene the Position Classification Committee to evaluate the position. The final determination of the grade rests with the Position Classification Committee. All changes in job descriptions are subject to the approval of the Commission, and may be subject to the approval of the bargaining unit. Job content and hours are also subject to the approval of the Commission.

Job descriptions may be reclassified at a higher or lower grades based on such reviews.

4.2 EMPLOYMENT CLASSIFICATIONS

4.2.1 Full-Time Employees

Full-time employees are those scheduled for (30) or more hours per week, on a regular basis and for a period intending to exceed six (6) months, and are eligible for benefits as described in the Benefits section of the Handbook.

4.2.2 Part-Time Employees

Part-time employees are those scheduled for at least twenty (20) but less than thirty (30) hours per week, on a regular basis and for a period intended to exceed six (6) months, and are eligible for benefits as described in the Benefits section of the Handbook. Elected officials are not classified as part-time employees.

4.2.3 Per Diem Employees

Per diem employees are those employed on an as needed basis and do not meet the definition of a part-time employee. Per diem employees shall include, but are not limited to per diem deputies, corrections officers, dispatchers, airport security, and corrections staff. Per diem deputies (including those assigned to airport security) are limited to no more than 1,040 hours worked yearly, as mandated by M.R.S.A. 30-A, Section 386. Per diem deputies exceeding 1,040 hours worked annually must have full-time certification from the Maine Criminal Justice Academy, and will receive the full-time or part-time pay rate as applicable. Per diem employees are eligible for the hourly differential and holiday overtime; they are not eligible for holiday pay, vacation leave, sick leave, compensatory leave, health insurance, or retirement benefits. If a per diem employee works an average of thirty (30) or more hours a week over the course of a year, employment status will be readdressed in terms of eligibility for benefits.

4.2.4 Temporary Employees

Temporary employees may be hired for a limited period as approved by the County Commission, and paid an hourly wage deemed appropriate for the position by the County Administrator. The County Administrator may approve the hiring of an employee on a temporary basis who is filling a regular position. These employees are expected to comply with all of the policies and procedures outlined in this Personnel Policy Handbook, and will be evaluated the same as regular employees.

All temporary employees are eligible for holiday pay, proportionate to the hours worked during a regularly-scheduled workweek. If a temporary employee is required to work on a holiday, the employee shall be paid at time and one half for all hours worked on the holiday, in addition to holiday pay.

It will be determined by the County Administrator at the time of hire whether or not the temporary employee is eligible for benefits, depending on the anticipated length of employment and the reason for the temporary status. An employee hired on a temporary basis to backfill the Patrol Deputy assigned to be the Maine Drug Enforcement Agent (MDEA) will be temporary with full benefits, due to the nature of the contract with MDEA and the expected length of temporary employment. If a temporary employee is going to work (or has worked) an average of thirty (30) or more hours per week over a period of three (3) months or longer, the employee will be eligible for health insurance and time off benefits, as long as employment is expected to continue at 30 or more hours per week.

If a temporary employee is hired into a full-time or part-time position, the original date of hire will be used for the purposes of determining the introductory period, years of service, and eligibility for ICMA Retirement Plans. The date of regular status will be used to determine eligibility for all other benefits.

In some situations, state or federal law may dictate employment classifications or related conditions that may differ from those stated in this section.

4.2.5 Temporary Employees – Grant Funded

Temporary employees (grant funded) may be hired for a limited period subject to the approval of the County Administrator not to exceed the length of service funded by the grant for the position. Temporary employees (grant funded) may be entitled to holiday pay proportionate to the hours worked during their regular work week. If a temporary employee (grant funded) is required to work a holiday, in addition to holiday pay (as written herein), the temporary employee (grant funded) shall be paid at time and one-half for all hours worked on the holiday. Temporary employees are not eligible for salary increases and are not entitled to any other benefits.

4.2.6 Commissioners

Commissioners are considered employees of the County. They are paid through the County payroll system (though they are not required to file time sheets), and are covered under the County's Worker's Compensation Program. Commissioners are eligible to participate in the County's employee insurance programs at their own expense, but are ineligible to receive any County-paid fringe benefits.

4.2.7 Elected Officials (other than Commissioners)

Elected officials are considered employees of the County. They are paid through the County payroll system (although they are not required to file time sheets), and are covered under the County's Worker's Compensation Program. Elected officials (other than Commissioners) are eligible to participate as regular employees in the County's health insurance, dental insurance, life insurance, long- and short-term disability insurances, and the ICMA retirement program or MainePERS, as applicable. They are not eligible for paid time off benefits, as they are paid their salaries for each week they are in office.

4.2.8 Fair Labor Standards Act ("FLSA") Classifications

"Non-exempt employees" are those who are "not exempt" from the Fair Labor Standards Act ("FLSA") and receive overtime pay for hours actually worked over forty (40) hours in a workweek.

"Exempt" employees are those who meet the definition of exempt under the Fair Labor Standards Act, are paid on a salary basis, and do not receive paid overtime. Exempt employees are expected to work the number of hours and schedule necessary to meet the expectations of the position. Salaried personnel are still subject to recordkeeping requirements and must submit time sheets.

Each employee will be notified as to his/her FLSA status.

4.3 TRAVEL EXPENSES

Any employee requesting reimbursement for work-related travel must have prior approval from his/her department manager/Sheriff. An employee who elects to use his/her private vehicle when a County-owned

vehicle is made available by the department manager/Sheriff will not be eligible for reimbursement. Mileage reimbursement shall be at the standard mileage rate established by the IRS. Travel reimbursement forms are available from the Finance Office.

When outside of the County seat on official business, reasonable expenses will be allowed for all necessary traveling and hotel expenses, including the cost of meals (excluding alcoholic beverages) connected with those activities, with prior approval from the department manager/Sheriff. Reimbursement for meals will be the lower of the actual cost or \$13 for breakfast, \$14 for lunch, and \$23 for dinner (per person). A detailed original receipt issued by the vendor must accompany each expense; summary invoices that only list totals and don't provide detail will not be accepted. Expense forms must be submitted through department manager/Sheriff to the Finance Office for processing for reimbursement. Prior approval from the department manager/Sheriff is required if the above amounts are to be exceeded, and approval must be noted on the expense reimbursement form.

4.4 COMPENSATION PLAN

4.4.1 Initial Compensation

New employees will be compensated in accordance with the appropriate Grade and associated Salary Range for the position classification in which they are hired. Pay for entry-level employees who meet the minimum qualifications for the position will be at Step One. If the employee is in training and does not meet the minimum qualifications, s/he will be brought in at a rate less than Step One, and will advance to Step One once the minimum qualifications are met. If the new employee has prior closely-related experience, s/he may begin on a higher Step as outlined in the County's Position Classification and Salary Administration Policy. The starting pay for all positions is subject to the approval of the County Administrator; the County Administrator shall determine, and recommend to the Commission for approval, the starting salary of department managers based on qualifications for the position as well as previous work experience. New employees hired on or before June 30 are eligible for a Step increase the following January 1st (as long as Step increases are approved during the budgeting process); new employees hired on or after July 1st will not receive a Step increase until the second January 1st following the date of hire.

Any newly elected or appointed County Commissioner shall receive compensation equal to that of fellow Commission members, with the exception of the Commission Chair, who shall receive an additional sum for chairmanship responsibilities.

Hourly Differential

Employees will receive a \$0.50 hourly differential for hours worked as follows:

Department	Hours
Corrections	6:00 PM to 6:00 AM
Patrol	6:00 PM to 4:00 AM
Communications	8:00 PM to 7:00 AM

The hourly differential applies only to the time worked in the shift that falls within the hours specified above, and shall be paid biweekly.

4.4.2 Overtime Compensation and Compensatory Time

Without prior authorization, a non-exempt employee may not start work before the scheduled time, nor work through lunch, or work past the scheduled time. All excess hours and overtime must have the prior approval of the appropriate department manager/Sheriff. It will be the employee's responsibility to record and justify all overtime worked on the timesheet.

Overtime for non-exempt employees will be computed based on hours actually worked over forty (40) in a work week (except if provided otherwise in a union contract). Hours actually worked shall not include hours compensated but not worked, such as holidays, sick leave, vacation leave, personal leave, etc. When overtime is worked, the department manager/Sheriff and the employee shall determine in advance whether the employee will receive pay or compensatory time calculated at the rate of time and one-half. Compensatory time is time worked beyond the normal forty (40) hours (except if provided otherwise in a union contract), that an employee may choose to bank and use at a later date. Corrections employees working a 44-hour shift one week and a 36 hour shift the next week calculate overtime and compensatory time once they have physically worked these hours. Part time employees who work hours above the normally scheduled hours for the week, but less than 40 hours, must be paid for those hours (i.e. compensatory time is not available for these "excess" hours).

Holiday overtime and hourly differentials are not used to calculate overtime rates of pay or compensatory time calculations.

Compensatory time ("comp time") may accumulate up to a maximum of two times an employee's regularly-scheduled weekly hours and may be carried forward from one month to the next. Any compensatory hours over the employee's limit will be paid out to the employee. Use of compensatory time is subject to the approval of the department manager/Sheriff. Upon termination of employment, unused compensatory time will be paid at the regular hourly rate, as the time and one-half adjustment for hours will have already been made.

4.4.3 Wage Adjustments

The Knox County Commission will consider salary increases under the following guidelines, as outlined in the Position Classification and Salary Administration Policy:

1. **Cost of Living Increases.** All County employees who are not over the top of the pay ranges for their positions may be eligible to receive annual cost-of-living increases based on the CPI-W (Consumer Price Index for Urban Wage Earners & Clerical Workers), as determined by the twelve-month period ending August 31st each year. Any increase must be approved by the County Commission (and the overall budget must be approved by the Budget Committee). Approved COL increases will be effective January 1st. Salary ranges will be adjusted by the amount of the approved COL increase.
2. **Step Increase.** The Commission may recommend, in addition to or instead of a Cost of Living Increase, a Step Increase, which means that each employee's salary would be increased by 2% (as long as the employee is not already at the top of the salary range). More than one Step increase could be approved, across the board or in special circumstances.
3. **Promotion.** An employee who is promoted to a position in a higher Grade will receive a salary increase as outlined in the Position Evaluation and Salary Administration Policy.

4.4.4 Special Detail - Patrol

Special detail is defined as work performed by a County law enforcement officer for a separate and independent employer, where the County acts as a fiscal agent. Special details are outside of the deputy's normal duties and solely at the employee's option. The County shall collect the fees for the special detail from the independent employer, including a fee for administrative costs to include benefits. The employee shall be paid for special detail duties through normal County payroll procedures. Hours and wages earned for special detail are not counted under the County's ICMA Retirement Plans; they are counted under MainePERS.

Deputies who work a special detail shall be compensated at a rate determined by the County Sheriff. Special detail shall be offered to all eligible employees on a rotating basis by seniority. In order to protect the County from having to pay overtime on a regular shift, employees opting for "special detail" will not be permitted to use accumulated leave time in substitution for all or part of their regular shift if that shift must be filled in order to work a special detail.

All qualified County law enforcement personnel are eligible to work a special detail.

Special conditions may apply to “contract deputies.” Such deputies are defined as those deputies who, by contract, serve a municipality within the County on a contractual basis between the municipality and the County. These deputies, although providing a service to the municipality, are directed by the Sheriff as his/her department manager/Sheriff.

4.5 HOURS OF WORK

The County Administrator will determine the hours of work for full-time and part-time employees.

4.6 PAY PERIOD

Knox County’s pay period is Sunday through Saturday and employees are paid biweekly on Friday for the two weeks ending the prior Saturday. Elected officials are also paid on a biweekly basis.

County Commissioners shall be paid on the last payroll of each month.

4.7 TIME SHEETS

At the end of each nonexempt employee's work period, it is the employee's responsibility to submit a time sheet to his/her department manager/Sheriff and/or his/her designee, which shows the number of hours they worked each day, as well as any holidays, leave or compensatory time taken.

At the end of each exempt (salaried) employee’s work period, the employee shall submit a time sheet to his/her department manager/Sheriff which shows the number of days worked for the week, as well as any holidays or leave taken.

In addition, the following items are required:

- An employee taking bereavement leave must document the family member in the additional explanation box on the time sheet.
- An employee requesting that holiday hours worked be put into compensatory time must explain this in the additional explanation box on the time sheet.
- For the Sheriff's Office, mandated hours, call in, and extended shift will be paid at an overtime rate if documented on the employee's timesheet.
- An employee taking Family Medical Leave must document this in the additional explanation box of the time sheet; in the employee's absence, the supervisor must notate the time sheet accordingly.
- An employee out of work due to Workers' Compensation must document this in the additional explanation box of the time sheet; in the employee's absence, the supervisor must note the time sheet accordingly.
- A separate time sheet must be filled out for any law enforcement work on the islands.

Time sheets must be submitted with original signatures by the employee to the department manager/Sheriff and/or his/her designee on a biweekly basis. Completed and approved time sheets are to be forwarded by the department manager/Sheriff and/or his/her designee to the Finance Office by 12:00 p.m. (noon) on each Monday before payday.

In the event an employee does not submit a time sheet to the department manager/Sheriff and/or his/her designee as required by these policies, it will be the responsibility of the department manager/Sheriff and/or his/her designee to create a time sheet on behalf of the employee for submission to the Finance Office at the required time. The employee must come to the Finance Office as soon as possible to sign the time sheet.

4.8 CLOSING OF COUNTY OFFICES

The County Administrator and/or his/her designee shall determine when/if County offices will close due to inclement weather, emergency situations, or other reasons. When offices are closed by the Administrator,

non-essential personnel will be given scheduled time off with pay, and time sheets must be notated accordingly by using the explanations box. Essential and/or Public Safety personnel who are required to work and those employees who choose to work will not receive any additional compensation. The designation of essential personnel shall be left to the department manager/Sheriff.

Employees who are not scheduled to work, for whatever reason, on the day of a County office closure shall not receive the benefit of the closure or any credit for leave time used. Likewise, any employee not present at work when the County makes a decision to close an office early, will not benefit from the early closure. If a part time employee is scheduled to work on a day the office is closed, the part time employee will be paid for average weekly scheduled hours divided by five (5).

Training, Around Holidays, and Other Reasons

Each department manager/Sheriff may on occasion decide to close his/her office, or a certain portion of his/her office, for a day or a portion of a day. The decision to close the office must be presented in advance to the County Administrator for approval. The department manager/Sheriff must indicate the reasons for the office closure and the expected duration. If employees are dismissed from work during the office closure, they shall receive pay for scheduled hours during the time the office is closed. In the event of an emergency, the department manager/Sheriff may use his/her discretion to close the office and then seek immediate approval from the County Administrator.

4.9 EMPLOYEE RESIGNATION, RETIREMENT, AND TERMINATION OF EMPLOYMENT

All employees who intend to voluntarily leave employment are asked to provide the professional courtesy of providing at least a two (2)-week written notice of their intent to resign. The written notice should be sent to the department manager/Sheriff and to the County Administrator. The notice period shall not include any paid vacation leave, sick leave, or compensatory leave, unless recommended by the department manager/Sheriff and approved by the County Administrator. The effective date of the resignation shall be defined as the last actual worked day, except in the case of approved sick leave.

All issued property, e.g., equipment, keys, pagers, cell phones, ID cards, clothing, and any gear, etc. must be returned to the County.

An employee who leaves the County's employ for whatever reason within his or her initial six (6) month introductory period is not entitled to payment for sick or vacation leave, as it does not accrue to his or her benefit until completion of the introductory period.

An employee who is retiring or voluntarily terminating employment with the County after completing the introductory period will receive payment for all accrued and unused vacation leave and pay in lieu of all compensatory leave, upon complying with County policies. An employee who is voluntarily terminating employment after a year of service will also receive payment for one half of his/her accumulated sick leave. In the event that employment is terminated by the County for unsatisfactory job performance, the employee will be ineligible for payment of accrued and unused sick leave. Additional details are outlined in the Vacation Leave and Sick Leave sections.

An employee who has decided to retire is encouraged to provide as much advance notice as possible, and in all cases at least a thirty-day notice period (at least sixty days for management level employees).

In the event of the death of an employee, all accrued and unused sick and vacation leave, as well as compensatory time, will be paid to the deceased employee's estate.

Wages and accrued sick, vacation, and compensatory leave due to the employee will be paid on the first scheduled payday after the effective date of resignation or termination of employment.

5.0 PERFORMANCE EVALUATION

The primary purpose of the performance evaluation is to encourage constructive communication between employees and management so that both may be able to accomplish their jobs in a productive and satisfying manner.

Employee performance evaluations will become a part of the employee's personnel record, which is filed in the County Administrative Office.

5.1 RESPONSIBILITY FOR PERFORMANCE EVALUATION

At least once each year, the County Administrator is responsible for evaluating the job performance of each appointed, salaried department manager. The department manager/Sheriff and/or his/her designee or County Administrator (as applicable) will review the performance of each employee (other than elected officials) on the basis of the standards of performance established for the position for which the employee is paid, using forms provided for that purpose, at least once each year. The County Administrator is responsible for the administration of the performance evaluation process for all other employees through the department managers.

All new employees (including new temporary employees) will be evaluated by their department managers/Sheriff or the County Administrator (as applicable) at the end of seventy-five (75) days of employment and at one hundred and fifty (150) days of employment, prior to the end of the introductory period (six months). Unsatisfactory performance may result in termination of employment at any time.

All employees promoted or transferred to a new position, and who are on the three-month trial period, will be evaluated at seventy-five (75) days, prior to the expiration of the trial period, by the department manager/Sheriff or County-Administrator (as applicable).

5.2 RIGHT OF APPEAL AND APPEAL PROCESS

Each employee, who has completed his/her introductory period, will have the right to appeal the findings of the performance evaluation process.

1. The employee will be given seven (7) working days in which to start an appeal process beginning the work day following the date the performance evaluation has been discussed with him/her. Within that period of time, the employee must present a written statement to his/her department manager/Sheriff stating the reasons for the appeal.
2. The department manager/Sheriff will have seven (7) working days, beginning on the date the statement is received, in which to respond in writing to the employee.
3. If the problem cannot be resolved at the department level, the employee may request a hearing before the County Administrator. This request must be in writing and presented within seven (7) working days beginning on the date the response is received from the department manager/Sheriff.
4. The County Administrator will hold a meeting on the appeal with all concerned within seven (7) working days following the date the written request is received.
5. Within seven (7) working days beginning the day after the meeting, the County Administrator will respond in writing to the employee as to the decision.
6. In the event the decision rendered by the County Administrator is not acceptable to the employee, the employee has seven (7) working days beginning on the date the decision is received to request, in writing, an appeal to be heard by the Commission, to take place at the next scheduled meeting. The Commission may opt to schedule a Special meeting to hear the appeal.
7. "Working days" for the purposes of this section are considered Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, excluding holidays.
8. The decision of the Commission is final.

6.0 BENEFITS

Important Note: The following sections outline the benefit programs offered by the County as of this Handbook revision. If there are any discrepancies between this Handbook and Plan documents, the Plan documents will prevail. The County reserves the right to change, add or delete benefit programs at any

time, except as may be guaranteed by written contract. Elected officials are eligible for some benefits, as specifically mentioned below. Paid time off benefits do not apply to elected officials.

6.1 TIME OFF POLICIES

6.1.1 Holidays

Full-time and part-time employees will observe the following twelve (12) paid holidays (plus any other day declared a holiday by the President of the United States, Maine's Governor or the County Commission):

New Year's Day	January 1 st
Martin Luther King, Jr. Day	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Patriots' Day	3 rd Monday in April
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	1 st Monday in September
Columbus Day/Indigenous Peoples' Day	2 nd Monday in October
Veterans' Day	November 11 th
Thanksgiving Day	4 th Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Day	December 25 th

If a holiday falls on a Saturday, the observance will be moved to the preceding Friday. If a holiday falls on a Sunday, the observance will be moved to the following Monday. If a holiday is observed on a day before or after the actual holiday, there is only one holiday paid, on the day observed by the County. There is one exception to this policy; essential staff scheduled to work on December 25th will receive holiday overtime pay, and essential staff scheduled to work on any other day observed for Christmas Day will not receive holiday overtime pay.

Paid holidays are a benefit, and all full-time and part-time employees receive pay for each holiday, even if they are not scheduled to work on the holiday. Work hours during holiday weeks for non-critical, non-exempt employees shall be adjusted in order to stay within budget for total hours paid for the week. Holiday pay shall be proportionate to regularly-scheduled hours worked during a regular workweek as follows:

Regular Workweek	Holiday Pay	Exempt Holiday Pay
40 Hours	8.00 hours	
35 Hours	7.00 hours	
32 Hours	6.50 hours	
30 Hours	6.00 hours	
28 Hours	5.75 hours	
25 Hours	5.00 hours	
20 Hours	4.00 hours	
Salaried		1 day

For an employee whose job requires work on weekends, if a holiday falls on a Saturday, the employee shall have the option of observing the holiday on the preceding Friday or the actual day of the holiday. If a holiday falls on a Sunday, the employee shall have the option of observing the holiday on the following Monday or the actual day of the holiday. In any case, only one day will count as a holiday for holiday overtime.

Each full-time or part-time, non-exempt employee shall be paid straight time for holidays, whether worked or not. Then, a non-exempt employee who is required to work on a holiday shall be paid one and one-half (1 ½) times the straight time rate of pay for all hours worked, in addition to the holiday pay.

There are no paid holidays during an unpaid leave of absence.

6.1.2 Vacation Leave

Each full-time and part-time employee will be entitled to vacation leave upon satisfactory completion of the Introductory Period. The date an employee was hired will be considered the anniversary date. Once the Introductory Period is complete, the employee will be eligible for vacation leave accrued from the anniversary date.

For the purpose of the vacation leave policy, a day is defined as average weekly scheduled hours divided by five (5). Vacation leave accrues as follows (proportionate to regularly scheduled hours worked during a regular work week):

* Employment	Work week	Non-Exempt Accrual Rate Month/Year	Exempt Accrual Rate Month/Year
Up to 5 years continuous service	40	8 hrs/1day = 96 hrs/12 days	1 day/12 days
	35	7 hrs/1day = 84 hrs/12 days	
	32	6.5 hrs/1day = 78 hrs/12 days	
	30	6 hrs/1day = 72 hrs/12 days	
	28	5.75 hrs/1day = 69 hours/12 days	
	24	5 hrs/1day = 60 hrs/12 days	
	20	4 hrs/1day = 48 hrs/12 days	
5 up to 10 years continuous service	40	12 hrs/1.5 days = 144 hrs/18 days	1.5 days/18 days
	35	10.5 hrs/1.5 days = 126 hrs/18 days	
	32	9.75 hrs/1.5 days = 117 hrs/18 days	
	30	9 hrs/1.5 days = 108 hrs/18 days	
	28	8.5 hrs/1.5 days = 102 hrs/18 days	
	24	7.25 hrs/1.5 days = 87 hrs/18 days	
	20	6 hrs/1.5 days = 72 hrs/18 days	
10 up to 15 years continuous service	40	14 hrs/1.75 days = 168 hrs/21 days	1.75 days/21 days
	35	12.25 hrs/1.75 days = 147 hrs/21 days	
	32	11.25 hrs/1.75 days = 135 hrs/21 days	
	30	10.5 hrs/1.75 days = 126 hrs/21 days	
	28	10 hrs/1.75 days = 120 hrs/21 days	
	24	8.5 hrs/1.75 days = 102 hrs/21 days	
	20	7 hrs/1.75 days = 84 hrs/21 days	
15 years & over continuous service	40	16 hrs/2 days = 192 hrs/24 days	2 days/24 days
	35	14 hrs/2 days = 168 hrs/24 days	
	32	13 hrs/2 days = 156 hrs/24 days	
	30	12 hrs/2 days = 144 hrs/24 days	
	28	11.25 hrs/2 days = 135 hrs/24 days	
	24	9.75 hrs/2 days = 117 hrs/24 days	
	20	8 hrs/2 days = 96 hrs/24 days	

*Determined by Employee's Anniversary Date

If a temporary schedule change is scheduled to exceed three (3) months, the vacation leave accrual will change to the new temporary schedule immediately. If it is unknown how long the schedule change will

last, the vacation leave accrual will change as of the first day of the month following three (3) months under the new schedule.

6.1.2.1 Vacation leave will accrue on the last day of each calendar month worked and post the first day of the following month. No credit is given for a partial month at termination of employment, or for any month in which there are two (2) weeks or more of unpaid leave or two (2) or more weeks of time paid from the Donated Sick Leave Bank.

6.1.2.2 Vacation leave may be taken in fifteen (15) minute increments (quarter hours). Total hours for a day (work hours plus other paid hours) cannot exceed the employee's regularly scheduled hours for that day.

6.1.2.3 Up to ten (10) days of vacation leave may be carried from one calendar year to the next for employees with up to ten (10) years of full time, continuous service; employees having more than ten (10) years of full time, continuous service may carry up to fifteen (15) days of vacation leave from one calendar year to the next. Vacation leave accrued in excess of the allowed carryover amount will be forfeited.

6.1.2.4 While vacation leaves are granted with the intent of permitting an employee the opportunity to be away from his/her job, they must be scheduled so as not to interfere with normal County departmental operations. The department manager/Sheriff must grant permission for vacation leave in advance.

6.1.2.5 In general, no more than two (2) continuous weeks (10 days) of paid vacation leave will be approved. Exceptions may be granted by the County Administrator. In cases where paid vacation leave is being used for an absence that qualifies under the Family Medical Leave Act ("FMLA"), the employee will apply for FMLA leave.

6.1.2.6 If an employee is on vacation and becomes sick, vacation time will still be used for the absence.

6.1.2.7 Since the County offers generous paid time off, time off without pay (unless under Family Medical Leave) is strongly discouraged, and must be approved in advance by the County Administrator or Sheriff. If vacation is granted and vacation time is not available, any compensatory time and then personal time available must be used, and any remaining time will be without pay.

6.1.2.8 Payment for Accrued, Unused Vacation Leave at Resignation or Termination of Employment
If employment should terminate, only accrued, unused vacation leave will be owed to the employee.

6.1.3 Sick Leave

Sick leave will be earned by all full-time and part-time employees, from the date of their initial full-time or part-time employment, at the rate of one day per month; there is no sick leave accrual for a month in which there are two (2) or more weeks of unpaid leave or two (2) or more weeks of time paid from the Donated Sick Leave Bank. No paid sick leave will be officially accrued (even though it will appear on the pay advice) or granted until an employee has completed his/her introductory period; any time missed from work during the introductory period will be without pay. Once the introductory period is satisfied, the employee will have access to sick leave accrued from the initial date of employment.

For the purpose of the sick leave policy, a day is defined as average weekly scheduled hours divided by five (5). Accrual of sick leave is as follows:

Employment	Non-Exempt		Exempt
	Workweek	Accrual Rate Month/Year	Accrual Rate Month/Year

All Employees	40 hours	8 hrs/1 day = 96 hrs/12 days	1 day/12 days
	35 hours	7 hrs/1 day = 84 hrs/12 days	
	32 hours	6.5 hrs/1 day = 78 hrs/12 days	
	30 hours	6 hrs/1 day = 72 hrs/12 days	
	28 hours	5.75 hrs/1 day = 69 hrs/12 days	
	24 hours	5 hrs/1 day = 60 hrs/12 days	
	20 hours	4 hrs/1 day = 48 hrs/12 days	

Accrual of sick leave is proportionate to regularly-scheduled hours worked during a regular workweek.

If a temporary schedule change is scheduled to exceed three (3) months, the sick leave accrual will change to the new temporary schedule immediately. If it is unknown how long the schedule change will last, the sick leave accrual will change as of the first day of the month following three (3) months under the new schedule.

6.1.3.1 Accrual Limits: Up to a maximum of one hundred and twenty (120) days of sick leave can be accrued and carried forward from one calendar year to the next. If an employee has more than one hundred and twenty (120) days of sick leave at year end, the employee will be automatically paid for 50% of the sick leave over the limit in the last payroll in December, in order to start the new year with no more than one hundred and twenty (120) days. The remaining 50% of the sick leave over the limit will be forfeited.

Optional Payment of Sick Leave

An employee who has reached the accumulation of 90 days by the last day of the calendar year may request payment of one-half of the sick leave accumulated in excess of 90 days. The remaining accumulation over 90 days for the year will be forfeited. The request must be submitted on the form provided by the Finance Office no later than January 15th (or the following business day if January 15th falls on a non-business day) of the following year.

6.1.3.2 Sick leave may be taken in fifteen (15) minute increments (quarter hours). Total hours for a day (work hours plus other paid hours) cannot exceed the employee's regularly scheduled hours for that day.

6.1.3.3 Sick leave will be used when personal illness or injury renders an employee unable to perform the duties of his/her position, or for personal doctor's office visits. If sick time is available, it is used first for these reasons for absence from work. If no sick time is available, the employee will use compensatory time, personal time, or vacation time, in that order, if it is available. A doctor's certificate may be required if personal absence exceeds three (3) consecutive days, or in the case of repeated absences.

6.1.3.4 Employees may also use accumulated sick leave to take immediate family members to doctor's office visits, to the hospital, or to attend to immediate family members who are ill, for up to five (5) consecutive days (this includes a new father spending time with his spouse and newborn immediately following the birth of his child). No more than twenty (20) days of accrued sick leave may be used during any calendar year for family illness, unless the employee has an approved absence under the Family Medical Leave Act ("FMLA"). If an FMLA leave is approved due to the serious health condition of the employee's spouse/domestic partner, child, parent or co-dependent sibling, the employee may be eligible to use additional accrued sick time. If no sick time is available, the employee will use compensatory time, personal time, and then vacation time, in that order. Immediate family, for the purposes of using sick leave, includes: spouse/domestic partner, parent/foster parent, or child/foster child, and the family relationship and reason for the absence should be noted on the time sheet. A doctor's certificate may be required to verify the use of sick leave for any of these absences.

- 6.1.3.5** An employee who is going to be absent for the day is required to notify his/her department manager/Sheriff no later than sixty (60) minutes before the scheduled start time on the day of absence. Time off for medical appointments is to be requested as far in advance as possible.
- 6.1.3.6** An employee who has exhausted his/her sick leave will be required to use other paid leave that is available to cover the absence. Any available compensatory time will be used first, then any available personal time will be used, and finally any available vacation time will be used. If all available paid time off is exhausted, the time away will be without pay. As noted above, time off without pay (unless under Family Medical Leave) is strongly discouraged and requires approval of the County Administrator or Sheriff.
- 6.1.3.7** If an employee is going to be absent for more than three (3) consecutive days and the absence appears to qualify under the Family Medical Leave Act, the employee will complete the FMLA request form.
- 6.1.3.8** **Payment for Accrued, Unused Sick Leave at Resignation or Termination of Employment**
An employee with at least one (1) year of continuous service who voluntarily separates from employment in good standing shall be paid one-half (1/2) of accrued sick leave, up to a maximum of forty-five (45) days. If an employee is dismissed for unsatisfactory job performance, he/she will not be entitled to payment for sick leave under this article.
- 6.1.3.9** **Conversion of Two Sick Leave Days to Personal Leave Days (non-bargaining)**
At the beginning of the calendar year, each employee may choose to convert up to two accumulated sick leave days to personal leave days. The personal leave days may be used at any time during the year on or after February 1st with the prior approval of the department manager/Sheriff. The request to convert the time must be submitted on the form provided by the Finance Office no later than January 15th (or the following business day if January 15th falls on a non-business day). Any unused personal days as of the end of the calendar year are forfeited.
- 6.1.3.10** **Additional Vacation Leave Days**
Employees who do not use any sick leave or FMLA leave (paid or unpaid) in a defined six-month period (Jan 1st – June 30th or July 1st - December 31st) shall be awarded one additional vacation leave day for each six-month period. This vacation leave is added the following month to accrued vacation leave, and is subject to the same rules as other vacation leave days. Employees who have been out of work during the six-month period on unpaid leave or unpaid administrative leave are not eligible.
- 6.1.4** **Donated Sick Leave Policy**
The County will administer a Donated Sick Leave Bank on a calendar year basis, which will work as follows:
- A. All full time and part-time, non-elected County employees who have successfully completed the Introductory Period as of December 1st of any year may elect to participate in the Donated Sick Leave Bank for the following calendar year.
- B. In order to be eligible to draw from the Donated Sick Leave Bank, an employee must contribute one (1) sick day annually, on December 31st, for the following calendar year (however, if an employee has drawn from the Donated Sick Leave Bank during a calendar year, s/he is not required to donate a sick day to the Bank for the following calendar year, and s/he will still be able to draw from the Bank). A day equals the value of a day relative to the employee's normal schedule as outlined in the Sick Leave Policy, not to exceed 8 hours. Employees must have a sick day accrued and available to donate in December to be eligible. All participating employees must complete and submit the donation form to the Finance Department no later than the Friday before the first pay in December in order to participate; this form will remain in effect for subsequent

years unless revoked by the employee in writing. If the employee wants to revoke the election, the form is due to the Finance Office no later than the Friday before the first pay date in December.

C. In the event that the Donated Sick Leave Bank becomes depleted during the calendar year, employees will be given another opportunity to donate (in writing) one (1) sick day to the Bank to cover the remainder of the calendar year. This "restocking" will be limited to once per calendar year. Any employee with a sick day available may participate, and all employees who donated a sick day for the current calendar year will be eligible to draw from the Donated Sick Leave Bank for the remainder of the year (except that an employee who is currently drawing from the Bank at the time of the restocking will not be required to donate a day).

D. Time in the Donated Sick Leave Bank will be tracked and made available in hours (not dollars).

E. An employee may draw up to thirty (30) days from the Donated Sick Leave Bank in any one calendar year, and up to sixty (60) days in any three (3) consecutive calendar year period. The amount of time drawn each year cannot exceed the regularly-scheduled hours (no overtime). There are no vacation or sick leave accruals for a month in which there are two (2) or more weeks of Donated Sick Leave used.

F. An employee on an FMLA-approved leave for personal or family illness (qualifying as a "serious health condition") and who has exhausted all of his/her own paid time off (vacation leave, sick leave, personal leave, and compensatory time) may draw paid time from the Donated Sick Leave Bank for the remainder of the approved FMLA leave up to the maximum allowed. If an employee has exhausted his/her job protection under FMLA but remains employed, and the absence would have qualified under FMLA regulations, s/he may continue to draw from the Donated Sick Leave Bank if otherwise eligible to draw from the Bank.

G. An employee who has purchased Short Term Disability (STD) Insurance is eligible to draw from the Donated Sick Leave Bank. Time paid from the Bank may reduce benefits under the STD Plan.

H. Donated Sick Leave is on a first come, first served basis. If there is more than one draw at a time, they will be processed concurrently pay period by pay period (i.e. the total time needed for the first draw will not be set aside in advance).

I. Sick leave days contributed to the Donated Sick Leave Bank cannot be reclaimed by an employee.

J. If the Donated Sick Leave Bank is depleted after the second donation period, no more draws will be available until the Program renews the following calendar year.

K. Any days remaining in the Donated Sick Leave Bank at the end of a calendar year are forfeited.

6.2 HEALTH AND WELFARE BENEFITS

6.2.1 Health Insurance

Full-time employees and elected officials may elect to enroll in the County's health insurance plan. The County pays 100% of the cost of single coverage, and 75% of the total cost if an employee elects dependent coverage. Coverage becomes effective the first day of the month following the date of employment or application, whichever is later, and new employees have sixty (60) days from the date of employment to decide. Thereafter, other than dropping coverage, changes can only be made when there is a qualifying event or during open enrollment in the fall each year. Details about coverage and costs are available through the Finance Office.

In the event that two employees working for the County are married to each other and wish to cover one or more dependent children, the County will enroll the employees as a family and charge one of the two employees only the additional employee amount for covering the child(ren). Both employees will receive the life insurance benefit through Maine Municipal Employees Health Trust.

Payment of the employee's share of the premium shall be deducted from the employee's paycheck in accordance with IRS Section 125 regulations, one month in advance. Deductions are made twice a month; if there are three (3) pay periods in a calendar month, there is no health insurance premium deduction in the third (3rd) pay period.

Life Insurance: Under the Maine Municipal Employees Health Trust, each full time employee enrolled in the health insurance plan is also provided a basic life insurance benefit equal to one times his/her annual salary (rounded up to the next one thousand dollars (\$1,000), to a maximum of one hundred thousand dollars (\$100,000)). The benefit for eligible elected or appointed municipal officials is a minimum of five thousand dollars (\$5,000), and a maximum of fifty thousand dollars (\$50,000). Benefits for active employees are reduced by fifty percent (50%) at age seventy (70). It is the employee's responsibility to ensure that beneficiary information is on file and up to date. In addition, an Accelerated Benefit may be paid in a lump sum up to 75% of the employee's life insurance benefit (subject to a minimum benefit of \$5,000 or 10% of the insurance amount, whichever is greater) if the insurance company receives a request and proof that an employee is terminally ill and is certified by a physician to have twelve months or less to live. The insured must be covered for at least \$10,000 to be eligible for this benefit.

County Commissioners

County Commissioners may participate in the group health plan by paying 100% of the cost.

Health Insurance Opt-Out for Non-Enrollment

Knox County offers an annual opt-out amount to full-time and part-time employees, as well as elected officials (excluding County Commissioners), who opt not to participate in the County's group health insurance plan, or who elect less dependent coverage than they are eligible for, as long as they provide proof of health insurance elsewhere for the period of January 1 to October 31st annually. Employees must work at the County for the full calendar year to be eligible.

The Opt-Out amount shall be paid on an annual basis, through payroll, on the last pay period of the year in which the employee or elected official qualifies, subject to all applicable Federal and State taxes. An employee who qualifies for the Opt-Out amount must be able to demonstrate the presence and level of health insurance coverage for the first ten (10) months of the calendar year for which the Opt-Out amount is requested, and sign a waiver. A completed waiver form, along with satisfactory proof of other health insurance, must be submitted to the Administrative Office no later than December 1st (or the next business day if December 1st falls on a non-business day) of each year.

The Opt-Out amounts will be provided as follows:

Employee Eligibility	Employee Election	Annual Amount
Single coverage	Does not enroll in County Plan	\$500
Employee and Children Only	Employee only	\$1,000
Employee and Spouse	Employee only	\$1,000
Employee and Children Only	Does not enroll in County Plan	\$1,500
Employee and Spouse	Does not enroll in County Plan	\$1,500
Employee and Family	Employee only	\$1,500
Employee and Family	Does not enroll in County Plan	\$2,000

Other stipulations regarding the Opt-Out amount:

- If a married couple works for the County, both qualify separately for the County's health insurance, and one spouse enrolls the family, the other spouse is not eligible for the Opt-Out amount.
- If an employee drops coverage for a child because the child is no longer eligible for coverage due to age, the employee is not eligible for the Opt-Out amount.
- There are no prorated Opt-Out amounts for partial years.

6.2.2 Dental Insurance

Employees and elected officials who are eligible to participate in the County's group health insurance plan may also participate in the County's group dental insurance plan, effective the first of the month following thirty (30) days of application date, and new employees have thirty (30) days from the date of employment to enroll. Thereafter, other than dropping coverage, changes can only be made when there is a qualifying event or during open enrollment in the fall each year. The dental insurance plan shall be paid entirely by the employee or elected official, through payroll deduction. Employees or elected officials choosing to enroll must do so during open enrollment in the fall each year, renewable annually.

6.2.3 Life Insurance

Full-time employees, as well as elected officials, may voluntarily elect to participate in the County's payroll deduction plans for life insurance. Employees must apply within 30 days of their dates of hire, and coverage is effective the first day of the month following thirty (30) days of employment. Changes to the election, other than dropping the coverage, can only be made when there is a qualifying event or during open enrollment.

Retirement Benefit: The County will pay the cost of employee life insurance for full employees, as well as elected officials, upon retirement if the employee has worked for the County for at least ten (10) years and has had a life insurance policy in effect through MainePERS for at least the last ten (10) years prior to retirement.

6.2.4 Long-Term and Short-Term Disability Insurance

Full-time and part-time employees, as well as elected officials, may elect to participate in the County's payroll deduction plan for long-term and/or short-term disability insurance, effective the first day of the month following thirty (30) days of the application date, and new employees have thirty (30) days from the date of employment to enroll. Changes to the election, other than dropping the coverage, can only be made when there is a qualifying event or during open enrollment in the fall each year. Long- and Short-Term Disability insurances shall be paid entirely by the employee or elected official.

No disability benefits will be paid for any period when an employee is receiving paid sick leave, personal leave, or other salary continuation, including donated amounts, (but not vacation pay), from the County. Employees may elect to use available accrued vacation time to make up the difference between the disability benefit (60% of pay) and full pay (i.e. the other 40%).

6.2.5 Flexible Spending Accounts

Full-time and part-time employees, as well as elected officials, are eligible to participate in flexible spending accounts, and new employees have thirty (30) days from the date of employment to enroll. These allow eligible personnel to use pre-tax dollars for eligible healthcare and/or child care expenses. Eligible personnel may enroll or make changes when there is a qualifying event or during open enrollment in the fall each year.

6.2.6 Employee Assistance Program (EAP)

All employees of the County, and all members of their household (including students away at college) are eligible for assistance through the Anthem BlueCross BlueShield Employee Assistance Program (even if not enrolled in the County's health insurance plan). Highly trained staff members can offer information and advice 24/7/365 to help employees and their family members solve a wide range of problems, everything from relationship and family concerns to anxiety, depression, alcohol and drug abuse, stress, grief, and even financial or legal issues. If a referral to a licensed counselor is needed, the EAP provides up to three free visits for each issue.

Call 1-800-647-9151 or visit www.anthemEAP.com and login MMEHT.

6.3 RETIREMENT BENEFITS

6.3.1 Social Security

All Knox County employees and elected officials are covered by Social Security. The County and the employee/elected official each contribute to this benefit.

6.3.2 ICMA Retirement Plans

ICMA 401(a)-Money Purchase Plan

After six (6) months of full-time employment, the County offers to its full-time employees and elected officials (excluding the County Commissioners) the opportunity to participate in the "401(a)-Money Purchase Plan" through the ICMA Retirement Corporation. Employees who are rehired are automatically re-enrolled if they were participants when last employed. Those opting to participate are mandated to contribute three (3%) percent of their salary or wages, including overtime and any bonuses, to the Plan on a pre-tax basis in order to receive the County's seven (7%) employer contribution. Participants may also elect to contribute additional dollars to the Plan through payroll deduction on an after-tax basis. If an employee or elected official does not elect to participate when first eligible, she or he may sign up during open enrollment in the fall, to be effective the first payroll in January. Participants do not have the right to discontinue or vary the rate of contributions after becoming a Plan participant, except relative to contributions above 3%.

The vesting schedule, which applies to employer contributions in the 401(a) Plan, is as follows:

Years of Service Completed	Specified Percent Vesting
Three	50%
Four	75%
Five	100%

The terms and conditions of the ICMA Plan are established by and subject to the ICMA Retirement Corporation Prototype Money Purchase Plan & Trust Adoption Agreement, a copy of which is available from the County Administrative Office.

ICMA 457 Deferred Compensation Plan

The County also offers employees the opportunity to build their retirement investments and reduce today's taxes through a Section 457 Deferred Compensation Plan. This is known as the ICMA 457 Plan. Federal, and in most cases State, taxes are deferred until your assets are withdrawn, usually during retirement when a person may be in a lower bracket.

Under Section 457 of the Internal Revenue Code, an employee may defer each year a maximum of 100% of their "gross compensation" or an annual dollar limit, whichever is less. Contributions are made through payroll deductions, and can be changed for any upcoming payroll with sufficient notice. A summary of the ICMA 457 Plan is available by contacting the County Finance Office.

ICMA Roth IRA Plan

The County offers employees the opportunity to build their retirement investments with an ICMA Roth IRA. Employees can enroll in an ICMA Roth IRA even if they do not participate in the County's ICMA 401(a) plan. The ICMA Roth IRA provides employees with the opportunity to contribute after-tax dollars and withdraw them and earnings tax-free during retirement, as long as the employee has owned the ICMA Roth IRA for at least five years. The contribution shall be in the form of a payroll deduction that can be stopped at any time.

6.3.3 MainePERS Plan 3N

The County offers employees of the Sheriff's Office and the Jail who are regularly scheduled to work at least 35 hours a week the opportunity to enroll in Maine Public Employees Retirement System

(MainePERS). New employees will be provided a one-time opportunity to enroll in this Plan by contributing a percentage of their wages, as determined by the MainePERS plan. The contribution shall be in the form of a deduction from the employee's paycheck. The County shall, in turn, contribute at a level to be determined annually by the actuary for MainePERS. If any employee chooses not to enroll when eligible, he/she will not be able to enroll while working for the County. If any employee resigns from employment with the County and then is rehired later, if he/she was enrolled in MainePERS, the employee must re-enroll with MainePERS again.

6.3.4 MainePERS Retired and Returned to Work

The County pays MainePERS a 5% fee for employees who retired from MainePERS and are regularly scheduled to work at least 35 hours a week. A contribution of 2% is made to ICMA.

6.4 UNEMPLOYMENT BENEFIT

Knox County directly reimburses the Maine Department of Labor for the County's proportionate share of unemployment benefits paid to employees who become eligible.

6.5 LEAVES OF ABSENCE

Important Note: Federal and state laws that govern Family Medical Leave, Military Leave and Family Military Leave frequently change. The County intends to comply fully with the obligations set forth in the regulations that exist at the time that an employee applies for a leave of absence, which may differ from what appears in the current version of this Personnel Policy Handbook.

6.5.1 Family and Medical Leave Act ("FMLA") POLICY (federal and state provisions)

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides guidance on FMLA rights and responsibilities. Specific questions should be addressed to the County Administrative Office.

Employees Eligible for FMLA Leave

FMLA leave is available to "eligible employees". To be an "eligible employee", an employee must: (1) have been employed by the County for at least 12 months (which need not be consecutive); (2) have been employed by the County for at least 1250 hours of service during the 12 month period immediately preceding the commencement of the leave; and (3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Employee Entitlements for FMLA Leave

As described below, the FMLA provides eligible employees with an unpaid leave of absence, health insurance benefit continuation and, with some limited exceptions, job restoration. The FMLA also entitles employees to written notices about their potential eligibility for and use of FMLA leave.

Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined on a rolling basis measured backwards from the date any FMLA leave has been used.

Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee's own **serious health condition** (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or

- Because of any **qualifying exigency** arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of a contingency operation.

A **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits within 30 days to a health care provider or one visit and a course of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing financial and legal arrangements, attending counseling sessions, and attending post-deployment reintegration briefings.

Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the above basic FMLA leave entitlement, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A **"covered servicemember"** means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list for a serious injury or illness. A member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that the injury or illness would render the servicemember medically unfit to perform duties of the member's office, grade, rank or rating.

Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees may be entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember.

Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the County substantial and grievous economic injury or a restructuring, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The County will notify employees if they qualify as "key employees", if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

Notice of Eligibility for, and Designation of, FMLA Leave

If an employee is going to be absent from work for more than three (3) days due to an FMLA-qualifying reason, s/he should request FMLA. Employees requesting FMLA leave are entitled to receive written notice from the County telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) the County's designation of

leave as FMLA-qualifying or non-qualifying, if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The County may retroactively designate leave as FMLA leave with appropriate written notice to an employee provided the County's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where a leave qualifies for FMLA protection, the County and employee can mutually agree that leave be retroactively designated as FMLA leave.

Employee FMLA Leave Obligations

Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify the County of their need for FMLA leave. The following describes the notice requirements.

Content of Employee Notice

To trigger FMLA leave protections, employees must inform Human Resources of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave to allow the County to determine if the leave is FMLA-qualifying.

For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a covered military member being on active duty or called to active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in Sick Will Not Count – Reason Must be Given

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the County's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the County has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

Timing of Employee Notice

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the timing of the need for leave is not foreseeable, employees must provide the County notice as soon as practicable. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers To Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the County and make a reasonable effort to schedule treatment not to disrupt the County's operations. Employees must consult with the County prior scheduling treatment to work out a treatment schedule which best suits the needs of both the County and the employee. If employees providing notice of the need to take FMLA leave on an intermittent basis for

planned medical treatment neglect to fulfill this obligation, the County may require that employee to make such arrangements.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, the County may temporarily transfer that employee, during the period that the intermittent or reduced leave schedule is required, to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the County of the reason why such leave is medically necessary. In such instances, the County and employee will attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the County's operations.

Submit Medical Certifications Supporting Need for FMLA Leave

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification**, and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide the County with timely, complete and sufficient medical certifications. Whenever the County requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the County's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. The County shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The County will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the County (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the County with authorization allowing it to clarify or authenticate certifications with health care providers, the County may deny FMLA leave if certifications are unclear.

Whenever the County deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, their covered family or service member's health care provider. If employees are providing at least 30 days' notice of medical leave, medical certification should be submitted before leave begins.

A new medical certification will be required annually for serious medical conditions lasting longer than a year.

The County is permitted to consider information properly obtained about your medical condition as a result of a workers' compensation or disability claim. If the County has reason to question initial medical certifications, it may require employees to obtain a second opinion at the County's expense. If the opinions of the initial and second health care providers differ, the County may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the County and the employee.

Medical Re-Certifications

Depending on the circumstances and duration of FMLA leave, the County may require employees to provide recertification of medical conditions giving rise to the need for leave. The County will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical re-certifications.

Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves taken because of their own serious health conditions that made them unable to perform their jobs must provide the County medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. The County may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military members, the County may require employees to provide: 1) a copy of the covered military member's active duty orders or other military documentation indicating the covered military member is on active duty or called to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other military documentation for leaves arising out of qualifying exigencies resulting from a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, the County may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, the County may request that the certification submitted by an employee set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

Substitute Paid Leave for Unpaid FMLA Leave

Employees must use any accrued paid time while taking unpaid FMLA leave. If the substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave, the paid time will run concurrently with an employee's FMLA entitlement. Vacation and sick leave benefits cease to accrue any time an employee has more than two (2) weeks of unpaid leave in a calendar month. An employee is not entitled to use unpaid leave during an FMLA leave until the paid leave has been exhausted.

Leaves of absence taken in connection with a disability plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, the County will allow employees to use accrued paid time to supplement any paid disability benefits.

Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. Unless the County notifies employees of other arrangements, whenever employees are receiving pay from the County during FMLA leave, the County will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If FMLA leave is unpaid, employees must pay their portion of the group health premium by making on time payments to the Finance Office.

The County's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, the County will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days after the end of their leave (unless employees cannot return to work because of a serious health condition or other circumstances

beyond their control), they will be required to reimburse the County for the premiums the County paid for maintaining coverage during their FMLA leave.

Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any state or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the County's other leave policies or contact the County Administrative Office.

Questions, Complaints and Bar Against Retaliation

If you have questions regarding this FMLA policy, please contact the County Administrative Office. The County is committed to complying with the FMLA and, whenever necessary, will interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the County Administrative Office immediately.

The County will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits to address alleged FMLA violations.

Maine Eligibility Provisions

Maine employees have additional rights under the Maine Family Medical Leave Act which provides for up to ten (10) weeks leave in any two (2) year period. An employee must have been employed for twelve (12) consecutive months to be eligible for such leave that allows employees to continue group health insurance at their expense.

- A. Maine employees may be entitled to leave to care for his/her sibling, domestic partner, domestic partner's child. A **domestic partner** as used above means the partner of an employee who:
- Is a mentally competent adult as is the employee;
 - Has been legally domiciled with the employee for at least 12 months;
 - Is not legally married to or legally separated from another individual;
 - Is the sole partner of the employee and expects to remain so;
 - Is not a sibling of the employee; and
 - Is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.
- A **qualified sibling** as used above means a sibling of an employee who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements.
- B. Maine employees may be entitled to leave for the donation of an organ of that employee for a human organ transplant;
- C. Maine employees may be entitled to leave if he/she has a qualified sibling or domestic partner who is a covered service member.

Questions about the FMLA policy should be directed to the Administrative Office.

6.5.2 Additional Leave under State Law

- A. Maine employees may be entitled to leave if the employee or employee's daughter, son, parent, spouse, domestic partner or sibling is a victim of violence, assault, sexual assaults, stalking or any act that would support an order for protection under Title 19-A, Chapter 101 for an employee to:

1. Prepare for and attend court proceedings;
 2. Receive medical treatment or attend medical treatment for a victim who is the employee's daughter, son, parent, spouse, domestic partner or sibling; or
 3. Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.
- B. Maine employees may be entitled to leave for response to an emergency. An employee who is a volunteer firefighter cannot be disciplined for being late or missing work due to responding to an emergency as a volunteer firefighter. Employees, or someone on their behalf or the fire department, must provide the County with prior notice of absence if time permits.
- C. Maine employees may be entitled to leave for a public health emergency. Employees impacted by a public health emergency including an individual public health investigation, supervision or treatment, public health emergency orders, quarantine, isolation, or a concern that the employee may expose other individuals in the workplace to an extreme public health emergency threat, will be granted reasonable and necessary unpaid leave.

6.5.3 Military Leave

Under the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), members of the armed services and its reserve components who perform duties on a voluntary or involuntary basis will be reinstated to employment at the County without loss of status or benefits and without any break in service, as long as the employee meets all of the requirements under the Act. These requirements include, but are not limited, to the following:

- The employee provides the County with notice as far in advance as is reasonable under the circumstances, including information about the approximate beginning and concluding dates of his/her service;
- The employee may take a up to a total of 5 years' cumulative leave for military service during the time of employment at the County, unless an allowed exception applies; and
- The employee meets the guidelines under the Act for reapplying for work and returning to work after the leave.

There are some circumstances where the County is not required to reemploy a person after military service, including the following:

- If the County's circumstances have so changed as to make such reemployment impossible or unreasonable (if, for example, a reduction in force occurred during the person's absence that would have terminated that person's employment);
- In the case of a person with a service-connected disability, if reemployment would impose an undue hardship on the County;
- The employment from which the person leaves is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period;
- Reasonable notice of the desire to return was not given, and the County's established policies are violated by failure to give reasonable notice; or
- The person's separation from service was dishonorable, based on bad conduct, or "other than honorable" conduct.

Health Insurance: As required by the Veterans Benefits Improvement Act ("VBIA", which amended USERRA), the County will offer an employee on military leave and his/her dependents the right to continue in the group health plan for up to 24 months of service. If the leave is for 31 days or less, the employee may elect to continue to participate at employee rates; if the leave is greater than 31 days, the employee may elect to continue participation but will pay 100% of the County's cost. If the employee elects not to continue participation in the group health insurance plan, s/he is entitled to reenter the plan upon reemployment.

Compensation: If the military leave is for 31 days or less, the County will pay the difference between the employee's regular base pay and military pay (if the base pay exceeds military pay), as long as the

employee provides the County with documentation of the military pay. If the leave is for more than 31 days, there is no County subsidy regarding compensation. However, the employee may elect to use any accrued vacation time during the period of service.

Other Benefits: Vacation and sick leave benefits cease to accrue any time an employee has more than two (2) weeks of unpaid leave in a calendar month. Any other rights to benefits not covered in this Section of the Personnel Policy Handbook will be provided by the County according to legal requirements in effect at the time of the leave.

Reemployment: USERRA and Maine State Law both include guidelines for the employee and the employer regarding reemployment, return to work, compensation, benefits and work requirements, based on the period of service. The County HR representative will work with the employee regarding the specific requirements based on his/her unique situation.

6.5.4 Family Military Leave

Maine State Law requires employers with 15 or more employees to grant up to 15 days of unpaid family military leave per deployment to eligible employees, if requested by the employee. To be eligible, employees must have been employed by the County for at least 12 months and have worked at least 1250 hours in the 12-month period just prior to the requested leave.

“Family Military Leave” means leave requested by an employee who is the spouse, domestic partner, or parent of a person who is a resident of the State of Maine and is deployed for military service for a period lasting longer than 180 days with the State or United States, pursuant to the orders of the governor or the president of the United States. Family military leave may be taken only during the 15 days immediately before deployment, during the period of deployment if the service member is granted leave, the 15 days immediately following the period of deployment, or a combination of days within these time frames. If the request for leave is for 5 consecutive work days or longer, 14 days’ notice must be provided by the employee; if the request is for less than 5 consecutive work days, the employee must provide as much advance notice as possible.

Family military leave is without pay, except to the extent that an employee elects to use unused vacation leave. An employee who takes a family military leave will be restored to the position held by the employee when the leave commenced, or to a position with equivalent status based on years of service, employee benefits, pay, and other terms and conditions of employment. Benefits in effect at the beginning of the leave will continue during and after the leave at the same employee contribution or accrual rates.

6.5.5 Bereavement Leave

In the event of death in the employee’s family, a full-time or part-time employee with at least 6 months of service may be granted, with department manager/Sheriff approval, up to five (5) days or forty (40) hours, whichever is less, paid leave to make household adjustments or to attend funeral services. (If a death in the family occurs during the employee’s first six (6) months of employment, time off may be granted without pay.) The determination of hours for a “day” of leave shall be based on the employee’s normal workweek. “Family” for the purposes of this section is hereby defined to include spouse/domestic partner, parents, children, sons- and daughters- in-laws, brothers, sisters, grandparents, grandchildren, brothers-in-law, sisters-in-law, parents-in-law, grandparents-in-law, grandchildren-in-law, stepparents, stepchildren, foster parents and foster children.

In the event of a death of an aunt, uncle, niece, nephew, first cousin or spouse’s close family member, an employee shall be granted the equivalent of one (1) day off.

Any bereavement leave beyond this policy may be granted as sick leave, vacation leave or accrued compensatory time, with the approval of the County Administrator.

An employee taking approved bereavement leave shall note the relationship to the deceased on the time sheet.

6.5.6 Jury Duty

An employee or official summoned to jury duty will be excused from his/her work for the required period necessary to perform this duty. If the jury is excused prematurely from duty during the time of the service, the employee or official is expected to report for work as usual.

The County agrees to pay the employee or official his/her regular weekly pay and the employee or official shall turn the jury duty paycheck, excluding mileage, over to the County for the period of time the employee or official was required to be absent from work.

6.5.7 Court Time Pay

An hourly employee who is required to attend any legal proceeding on official County business shall receive a minimum of three (3) hours compensation for such attendance, should the court time attendance be outside the employee's regular work schedule. No court time shall be allowed to any employee who has been notified that his/her presence is not needed by 5 p.m. of the day prior to the scheduled court attendance. Fees received by the employee for testifying in civil, State or Federal courts will be reimbursed to the County.

6.5.8 Leave Without Pay

Leave without pay is strongly discouraged, except in extenuating circumstances. If an employee is absent from work and has paid time available, the employee must use the paid time unless s/he has prior approval from the Sheriff or County Administrator.

6.5.9 Personal Leave of Absence (LOA)

A personal LOA is an authorized absence from work for reasons other than paid vacation time, paid holiday, paid sick leave, or an absence covered under one of the prior leave of absence policies described in this section. Except for medical or emergency cases, a personal LOA will be granted only after an employee has completed six (6) months of continuous employment and exhausted any paid leave time available. A personal LOA is unpaid leave, except to the extent that an employee may be receiving donated leave.

A personal LOA may be granted for a maximum of three (3) months, at the discretion of the department manager/Sheriff as well as the County Administrator, who must give approval in writing. Personal LOAs longer than three (3) months must be approved by the Commission; the employee's length of service, job performance, certainty of return, and the needs of the department will be taken into consideration prior to approval. In no instances will a Personal LOA extend beyond six (6) months.

There is one exception to the personal LOA policy stated above. If an employee with less than one year of service (and therefore not eligible for job protection under FMLA) is diagnosed with a terminal illness, or has a parent, spouse or child diagnosed with a terminal illness with one year or less to live, the employee will be provided with the same job protection (including intermittent leave, if needed) and health benefits as if s/he had one year of service under FMLA. The illness must be verified by a health care professional.

During an approved personal LOA for up to three (3) months, employees may continue group health plan coverage under the same conditions as if they had continued to work, as long as the employee pays his or her portion of the group health premium by making on time payments to the Finance Office. If the personal LOA extends beyond three (3) months, the employee will be responsible for the full cost of the premium. The County's obligation to maintain health care coverage ceases if an employee's premium payment is more than thirty (30) days late. If an employee's payment is more than fifteen (15) days late,

the County will send a letter notifying the employee that coverage will be dropped on a specified date unless the payment is received before that date.

Vacation and sick leave benefits cease to accrue any time an employee has more than two (2) weeks of unpaid leave in a calendar month.

7.0 GRIEVANCE AND APPEAL PROCEDURES

7.1 Grievance Procedure

A grievance is hereby defined as any dispute relative to the meaning or application of the policies and procedures outlined in the Personnel Policy Handbook.

Step 1.

The aggrieved employee shall present the grievance verbally to his or her immediate supervisor within three (3) working days after the date of occurrence of the event or matters giving rise to the grievance. All parties will work to resolve the grievance at this level.

Step 2.

If the aggrieved employee and his or her immediate supervisor have not resolved the grievance, then the aggrieved employee must present the grievance, in writing, to his/her department manager/Sheriff within seven (7) working days beginning the day after occurrence of the event or matters giving rise to the grievance.

Within seven (7) working days beginning the day after the employee presents the grievance in writing, the department manager/Sheriff will meet with the employee to discuss the grievance, work to resolve the grievance, and respond to the aggrieved employee in writing.

Step 3.

If the grievance is not resolved between the parties within seven (7) working days beginning the day after the written response of the department manager/Sheriff, the aggrieved employee may submit the grievance, in writing, to the County Administrator.

The County Administrator will hold a meeting on the grievance with all concerned within ten (10) working days beginning the day after the grievance was filed with the County Administrator, unless all parties agree to an extension. Within fourteen (14) working days beginning the day after the meeting, the County Administrator will respond, in writing, to the aggrieved employee as to the decision on the grievance. The decision of the County Administrator is final, except in cases where the disputed action is relative to discharge, suspension or other disciplinary actions, or specifically related to a department manager/Sheriff's terms and conditions of employment.

Step 4.

If the disputed action is relative to discharge, suspension or other disciplinary actions, or specifically related to a department manager/Sheriff's terms and conditions of employment, the aggrieved employee may appeal the decision, in writing, to the County Commission within fourteen (14) working days beginning the day after the County Administrator's decision. The County Commission will hold a hearing within fourteen (14) working days beginning the day after receipt of the grievance, unless all parties agree to an extension. The County Commission will render a final decision in writing within fourteen (14) working days beginning the day after the appeal hearing.

8.0 OTHER POLICIES

8.1 EMAIL AND INTERNET POLICY

Electronic mail, Internet and telecommunication accesses are resources made available to county employees to communicate with each other, other governmental entities, companies and individuals for the benefit of the County.

The Knox County Electronic Mail System (e-mail) is designed to facilitate County business communication among employees and other business associates for messages or memoranda. Since no computer system is completely secure, the e-mail system is not intended to transmit sensitive materials, which may be more appropriately communicated by written memorandum or personal conversation.

The e-mail system is County property and intended for County business. All data and other electronic messages within this system are the property of Knox County. E-mail messages have been found to be public records and may be subject to the right-to-know laws, depending on their content.

In addition, the County, through its board of commissioners and its department managers/Sheriff, reserves the right to review the contents of employee's e-mail communications when necessary for County business purposes. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' e-mail messages, without proper authorization from the County Administrator.

Knox County purchases, owns and administers the necessary software and licenses to provide access to e-mail and Internet services. Employees may not rent, copy or loan the software, or its documentation. The County has invested much time and money to secure its electronic systems from intrusion and harmful viruses. Therefore, employees may not provide alternative software to access the system. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce in the County system. Department managers/Sheriff are responsible for the implementation and adherence of this policy within their departments.

Procedures related to this Policy include the following:

General Information on Passwords

While confidential passwords may be utilized, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the employee. Passwords should be periodically changed to ensure security of the e-mail system. Users should not share their passwords with anyone else, other than as his or her supervisors may require.

Internet

The Internet provides the County with significant access and dissemination of information to individuals outside of the County. The use of the Internet system for access and dissemination is intended to serve County business. Like all e-mail messages, Internet messages are capable of being forwarded without the express permission of the original author. E-mail messages are also routinely passed through routers before they reach their final destination. A message is "touched" many times before it gets to its recipient, and the message author should be aware of this. Therefore, users must use caution in the transmission and dissemination of messages outside of the County, and must comply with all state and federal laws.

Prohibited Uses

When sending e-mail messages, appropriateness and good judgment should be used. The following are examples of e-mail uses that are prohibited:

- Communications that in any way may be construed by others as disruptive, offensive, abusive, or threatening;
- Communications of sexually explicit images or messages;

- Communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, age, disability or religious beliefs;
- Solicitation for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations; and
- Any other use that may compromise the integrity of the County and its business in any way.

Retention of E-mail

Generally, e-mail messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to a department's record retention schedules. As such, these e-mail messages are similar to printed communication and should be written with the same care. Each department manager/Sheriff is responsible for establishing and maintaining department retention schedules for the information communicated through the e-mail system.

However, employees should be aware that when they have deleted a message from their workstation mailbox it might not have been deleted from the central e-mail system. The message may be residing in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Note that e-mail has been classified as "public" documents, i.e. available to the media in at least one state. Keep that in mind when you create or store e-mail.

Employees should delete e-mail messages as soon as possible after reading. An accumulation of files will degrade system performance and response times. All messages shall be deleted after 60 days unless archived by the user.

Applicability to Employees, Part-Time Employees, Contractors, and Other Users

This e-mail and Internet policy applies to all employees, contractors, part-time employees, volunteers, and other individuals who are provided access to the County's e-mail system. Third parties should only be provided access to the e-mail system as necessary for their business purpose with the County and only if they abide by all applicable rules.

Employee Termination, Leave of Absence, Vacation, and Other

Employees who leave employment with the County have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Supervisors or management may access an employee's e-mail if employees are on leave of absence, vacation, or are transferred from one department to another department and it is necessary for the County's business purposes.

Penalties

The misuse of the Internet or e-mail privileges may be considered sufficient cause for discipline in accordance with the County's Personnel Policies and or Union Contract, and/or other applicable rules or laws. In addition, violations of this policy or misuse of the e-mail system may be referred for criminal prosecution.

Summary

1. Use of the e-mail and/or the Internet is primarily for the furthering of the business of this County;
2. No one may intentionally intercept, eavesdrop, record, read, alter, or receive other persons' e-mail messages without property authorization;

3. No one may use the e-mail system for solicitation of funds, political messages, or harassing messages;
4. All e-mail messages and data are the property of Knox County and may be accessed for review by supervisors; and
5. All e-mail will be retained according to the attached Retention of e-mail policy.

Acceptance

By signing the Acknowledgement page of this Handbook, employees signify that they have read and accept the terms of this Policy.

8.2 ACCEPTABLE USE POLICY

In order to provide an environment that promotes the confidentiality, integrity, and availability of the electronic information on which the County relies to conduct business, this policy is established to:

- Manage the use of computer systems.
- Decrease liability exposure due to harmful actions by an employee.
- Promote a secure workplace for all employees.
- Prevent unlawful or wrongful actions against employees or citizens either directly or indirectly through electronic means.

All computer equipment, files, data, and communications methods provided by Knox County are to be used for business purposes only.

Knox County owns any and all information that is produced on or using County-owned equipment, or that is transmitted across County-owned network equipment. The County reserves the right to enter, search, disclose, and monitor computer files, email, or voicemail of an employee with or without prior notice, in a manner consistent with Federal Law. This includes, but is not limited to, investigating theft, disclosure of confidential information, personal abuse of the system, conflict of interest, or monitoring workflow or productivity. This right is granted to the County Administrative Offices, and employees may not access the messages or files of other employees.

Employees should have no expectation of privacy of any content on the County's network. Password protection, and the terms "personal" computer, and "My Documents" should not lead the employee to believe that the contents of these containers, active or deleted, are private.

Employees have the duty to ensure that information sent from the County is not offensive or illegal and complies with other existing policies.

8.3 SOCIAL MEDIA POLICY

Social media is any form of online publication or presence that allows multi-directional conversations in or around content on the Internet. Some types of social media include forums, message boards, blogs, tweets, wikis and podcasts, and some social media applications include Google, Facebook, LinkedIn, Twitter and YouTube. Management understands that social media is pervasive in today's world and that employees may be using social media sites in relation to both work and leisure. Management also recognizes that employees may enhance our business through the appropriate use of social media. However, employees should abide by the following guidelines when using social media. Any violation of these guidelines will be reviewed by Management on a case-by-case basis and may lead to discipline, up to and including termination of employment. This policy is not intended to interfere in any way with employees' legal rights, including rights under the National Labor Relations Act to discuss terms and conditions of employment.

Guidelines:

- Dissemination of confidential, proprietary or personal information about the County, its employees, municipalities or persons served, vendors, or other constituents associated in doing business with the County, on social media sites is strictly prohibited.
- Employees are not authorized to speak on behalf of the County, unless expressly authorized to do so in their respective roles.
- Social media sites are not to be used at work, on County time, or using County equipment unless the employee has been authorized to do so to further the County's interests.
- Management may discipline employees for posting, writing, or otherwise participating in any content that is discriminatory, harassing, threatening, pornographic, or obscene.

Employees should direct any questions regarding compliance with this Social Media Policy to the County Administrator or Human Resources Representative.

8.4 TELECOMMUTING POLICY

Telecommuting may be available on a voluntary basis but is not appropriate for all employees. No employee is entitled to, or guaranteed the opportunity to, telecommute. Offering the opportunity to work at home is a management option, based on the discretion of the employee's immediate supervisor and department manager/Sheriff. An employee's participation is strictly voluntary. All telecommuting agreements must meet the criteria in this policy and may be terminated at any time by either the employee or the immediate supervisor (although it is recommended that two weeks' notice be given if possible).

An employee wishing to request a telecommuting arrangement shall submit a written request to his or her immediate supervisor. A telecommuting arrangement must be mutually agreed upon by the employee, the employee's immediate supervisor, department manager/Sheriff, and the County Administrator. Any changes to the written arrangement must also be documented in writing and approved by the employee's immediate supervisor and the County Administrator. Department managers/Sheriff should consult with the County IT Director in advance if an employee requires remote access or technology support in order to telecommute.

The duties, obligations and responsibilities of an employee who telecommutes are the same as employees at the centrally-located work site. Hours worked are hours paid. Any hours beyond an employee's normal work schedule must be authorized in advance by the employee's supervisor. Salaried employees must indicate the hours they will be able to be reached by staff and customers. Hourly employees must indicate the hours the employee will be on work status.

An employee who telecommutes is expected to be working at home during the telecommuting work schedule. Personal leave time normally scheduled during a telecommuting employee's scheduled workday must be arranged in the same manner with the immediate supervisor as employees at the centrally-located work site. Employees shall not conduct any unauthorized external (non-County) work during their telecommuting work schedule.

The employee shall participate in any County-sponsored telecommuting and/or technology training as requested by the employee's supervisor. The employee shall participate in any County evaluation of telecommuting.

Remote access to the County's network may be provided to the employee at the discretion of the County IT Director. Remote access shall only take place on equipment owned and maintained by the County. The County will not purchase or reimburse employees for the cost of an Internet service provider or Internet use. Employees should take special care in protecting the confidentiality and integrity of any County-owned assets in their care. All materials and equipment shall be in a secured (i.e. locked) location when not in the employee's immediate possession.

The employee will maintain the confidentiality of County information and documents, prevent unauthorized access to any County system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the County.

8.5 CREDIT CARD POLICY

A department manager/Sheriff is the only person who can authorize the issuance of a new credit card. All requests shall be submitted from department manager/Sheriff to the Finance Director in writing.

The use of a County credit card is subject to the following restrictions:

- No cash advances.
- No personal or private expenditures.
- No regular operating expenses (e.g., monthly telephone charges, office supplies, etc.).
- No charges from active vendors or vendors that will invoice Knox County.
- No late fees or interest payments shall be reimbursed; these are the personal responsibility of the card holder if the charges are due to the employee's late submission of the necessary invoice/receipt, and must be paid within sixty (60) days.
- If there are three (3) instances of interest and/or late fees in any twenty-four (24) month period as a result of the employee's late submission of the necessary invoice/receipt, the card will be cancelled.

A detailed receipt must accompany each expense charge; summary invoices that only list a total and don't provide detail will not be accepted. In some cases, an explanation of the charge might be required; for example, if the expense is for meals or food, note on the receipt if it was for a luncheon meeting and how many by name were included on the bill. Clear documentation and receipts shall be submitted immediately after the transaction has been made to department manager/Sheriff and/or his/her designee for payment processing. One receipt shall be provided for each charge on the card. All statements shall be reviewed and reconciled prior to forwarding to the Finance Director monthly. Expenses without proper documentation shall be the responsibility of the employee.

Violations of Knox County's Credit Card Policy could result in disciplinary action, up to and including termination of employment and/or prosecution.

2020 KNOX COUNTY PERSONNEL POLICY HANDBOOK

*** * * Employee Acknowledgement and Agreement * * ***

I acknowledge that I have read and understand the provisions of the Personnel Policy Handbook. I understand that it describes the County's policies and procedures, and that it is a guide to assist employees in following these policies and procedures. By accepting this Handbook (electronically or in paper form) and acknowledging its receipt, I agree to follow these policies and procedures.

I also understand the following:

I am an employee at will and the employment relationship between me and the County can be terminated at any time and for any reason, unless I am otherwise covered specifically by statute, written agreement or collective bargaining agreement.

There is no verbal agreement regarding the terms, conditions, or length of my employment, and the policies set forth in this Handbook do not constitute a contract of employment, unless I am otherwise covered specifically by statute, written agreement or collective bargaining agreement.

The policies contained in this Handbook may be changed without notice at the sole discretion of the County, which retains the right to interpret and apply the stated policies as it deems appropriate, unless otherwise provided specifically by statute, written agreement or collective bargaining agreement.

I, the undersigned, acknowledge that I have received and have read this Handbook. I have met with my supervisor or my department manager/Sheriff and have had an opportunity to clarify any questions which I may have concerning one or more portions of this Handbook. I understand that a copy of this Acknowledgment will be kept in my personnel file.

Printed Name: _____ Signature: _____

Date: _____

Please sign and date one copy of this notice and give it to your supervisor or department manager/Sheriff by the time specified; you may wish to retain a copy for your reference.